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Presidential Documents

Title 3—

Proclamation 6181 of September 20, 1990

The President

Religious Freedom Week, 1990

By the President of the United States of America

A Proclamation

Many of the first colonists to settle in this country during the 17th century were driven by their desire to worship God freely, without fear of persecution. Devout in their faith and determined to enjoy the freedom denied to them in the lands of their birth, they braved the vast uncharted waters of the Atlantic in cramped wooden vessels and sought refuge in the New World. These early settlers were members of many different religious groups, yet all yearned for freedom and tolerance. Thus, by the time our Nation's Founders framed our Constitution and Bill of Rights, a unique tradition of religious liberty had already taken root in America.

Our Constitution provides that "no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States." However, the most celebrated guarantee of religious liberty in U.S. law is contained in the First Amendment to the Constitution. It states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

For well over 200 years, we Americans have maintained that religious freedom is not bestowed by government; rather, religious freedom is an inherent and unalienable right that not only precedes the social contract of government but also imposes a fundamental limitation on government power. Ten years before the delegates to the Federal Convention framed our Constitution, in his draft Bill for Establishing Religious Freedom in Virginia, Thomas Jefferson eloquently expressed this belief:

Almighty God hath created the mind free, and manifested His supreme will that free it shall remain by making it altogether insusceptible of restraint; that all attempts to influence it by temporal punishments or burthens . . . are a departure from the plan of the Holy Author of our religion, who being Lord both of body and mind, yet chose not to propagate it by coercions on either, as was in His Almighty power to do. . . .

Thus recognizing Man's free will as both the design and gift of the Creator, the members of the Virginia House of Delegates affirmed the view of religious liberty as an inherent and unalienable right and guaranteed "that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no [way] diminish, enlarge, or affect their civil capacities."

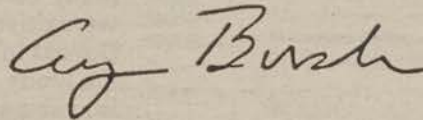
Throughout our Nation's history, the free exercise of religion has not only enriched the lives of individual believers but also strengthened the moral fabric of our society. The American people's faith in God, free from the weight of government oppression and interference, has shaped our Nation's most cherished values and institutions. It has also inspired our efforts to defend the cause of freedom and justice, both here at home and around the world.

In 1807, during his second term as President, Thomas Jefferson observed: "Among the most inestimable of our blessings is that . . . of liberty to worship our Creator in the way we think most agreeable to His will; a liberty deemed in other countries incompatible with good government and yet proved by our experience to be its best support." This week, we celebrate the enduring truth of his words.

In recognition of the importance of religious freedom and the spirit of tolerance in our society, the Congress, by Senate Joint Resolution 331, has designated the week beginning September 23, 1990, as "Religious Freedom Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week of September 23 through September 29, 1990, as Religious Freedom Week. I urge all Americans to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.



[FR Doc. 90-22734

Filed 9-20-90; 4:23 pm]

Billing code 3195-01-M

Presidential Documents

Proclamation 6182 of September 20, 1990

National Teacher Appreciation Day, 1990

By the President of the United States of America

A Proclamation

The United States is currently engaged in a nationwide effort to restore excellence to our educational system. Today more and more parents, educators, and elected officials are determined to set high standards for our schools and to meet them. Recognizing the importance of learning, not only in and of itself, but also as a means of maintaining the Nation's strength and productivity in an increasingly competitive world, we have established ambitious national education goals for the year 2000. If we are to succeed, we must reaffirm our support for a group of men and women who are working hard to achieve these goals—our Nation's teachers.

Education is a lifelong process of learning and discovery that begins in a child's home and extends through years of schooling and experience. On this National Teacher Appreciation Day, we honor teachers for their unique and important role in advancing our children's education. By helping their students to grow in knowledge, skill, and reasoning ability, teachers not only open the doors of opportunity for them but also help them to become responsible, productive citizens. In this way, the dedicated men and women who educate our Nation's youth also help to shape the future of the United States. That is why their work is so important to all of us.

Whether they work in the traditional academic setting, vocational training, continuing education, or special education, teachers influence both the personal and the intellectual development of their students. Indeed, teachers who convey a genuine commitment to excellence—as well as respect for authority and a sense of responsibility and concern for others—are among the best role models a young person can have. When a teacher cultivates in his or her students not only knowledge but also a lifelong love of learning, that teacher has given them a great and lasting gift. The work of a good teacher endures, long after his or her students have said farewell.

As we advance in years, we cannot fail to remember gratefully our best teachers—perhaps the elementary school teacher who recognized our potential and patiently helped us to develop it; or the high school English instructor who challenged and inspired us; or the college history professor who breathed life into ancient texts and enabled us to become a thrilled companion on the journeys of entire nations. We can never thank these teachers enough, and we can never fully trace the extent of their influence in our lives.

For all they do on behalf of our children and the Nation, teachers merit our abiding respect and gratitude. Let us ensure that we express both, not only on National Teacher Appreciation Day, but also throughout the year.

In grateful recognition of America's teachers, the Congress, by Senate Joint Resolution 313, has designated October 3, 1990, as "National Teacher Appreciation Day" and has authorized and requested the President to issue a proclamation in observance of this event.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim October 3, 1990, as National Teacher Appreciation Day. I urge all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.

George H. W. Bush

[FR Doc. 90-22735

Filed 9-20-90; 4:24 pm]

Billing code 3195-01-M

Presidential Documents

Proclamation 6183 of September 20, 1990

Leif Erikson Day, 1990

By the President of the United States of America

A Proclamation

When Leif Erikson landed in North America nearly a millennium ago, he helped to chart a course that would one day be followed by generations of brave European explorers and missionaries. He also established the first of the now centuries-old ties between the peoples of this continent and those of northern Europe.

The son of Eric the Red, who led the first group of Europeans to colonize Greenland, Leif Erikson is believed to have returned to his native Norway in the year 1000. There, according to the Icelandic Saga of Eric, the young navigator became a convert to Christianity. Later commissioned by King Olaf Tryggvason (Olaf I) to return to Greenland as a missionary, Erikson set sail once more.

During a number of his journeys on the open seas, "Leif the Lucky" explored portions of North America. Many others eventually followed in his wake, hoping to see for themselves the rich and beautiful territories he had called Helluland, Vinland, and Markland.

Since Leif Erikson first set foot on the North American continent, generations of Nordic men and women have come to the United States, bringing with them the wealth of their unique cultural heritage. Over the years immigrants from Iceland, Greenland, Norway, Denmark, Sweden, and Finland have greatly enriched our country and added their own chapters to the ever-unfolding story of America's development.

Each October 9, as we remember Leif Erikson, the bold Son of Iceland and Grandson of Norway, we also celebrate our Nation's magnificent Nordic heritage. This daring navigator with a missionary zeal, whose name is so often associated with images of adventure and romance, is also a beloved symbol of the deep and enduring ties between the people of the United States and our friends in all the Nordic countries.

In honor of Leif Erikson and our Nordic American heritage, the Congress, by joint resolution approved on September 2, 1964 (78 Stat. 849, 36 U.S.C. 169c), has authorized and requested the President to proclaim October 9 of each year as "Leif Erikson Day."

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim October 9, 1990, as Leif Erikson Day, and I direct the appropriate government officials to display the flag of the United States on all government buildings on that day. I also encourage the people of the United States to observe this occasion by learning more about our rich Nordic American heritage and the early history of our continent.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.

George H. W. Bush

[FR Doc. 90-22736

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Rules and Regulations

Federal Register

Vol. 55, No. 185

Monday, September 24, 1990

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 90-188]

Pink Bollworm; Removal of Regulated Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Affirmation of interim rule.

SUMMARY: We are affirming without change an interim rule that amended the pink bollworm regulations by removing Chicot, Drew, Jefferson, Lincoln, Monroe, and Phillips Counties, and a portion of Desha County, Arkansas, from the list of suppressive areas. We have determined that the pink bollworm has been eradicated from these areas. This action removes unnecessary restrictions on the interstate movement of regulated articles.

EFFECTIVE DATES: October 24, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Sidney E. Cousins, Senior Operations Officer, Domestic and Emergency Operations, PPQ, APHIS, USDA, Room 644, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8247.

SUPPLEMENTARY INFORMATION:

Background

In an interim rule published in the Federal Register and effective July 12, 1990 (55 FR 28595-28596, Docket Number 90-070) we amended the pink bollworm regulations (7 CFR 301.52 *et seq.*) by removing Chicot, Drew, Jefferson, Lincoln, Monroe, and Phillips Counties, and a portion of Desha County, Arkansas, from the list of suppressive areas in § 301.52-2a.

Comments on the interim rule were

required to be received on or before September 10, 1990. We did not receive any comments. The facts represented in the interim rule still provide a basis for this rule. Executive Order 12291 and Regulatory Flexibility Act.

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this rule will have an effect on the economy of less than \$100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this action, the Office of Management and Budget has waived the review process required by Executive Order 12291.

This regulation affects the interstate movement of regulated articles from specified areas in Arkansas. There are 21 cotton growers, processors, and seed producers within these areas that will experience a modest economic benefit as a result of this rule, since they will no longer be required to comply with the treatment and handling requirements contained in the pink bollworm regulations. We estimate that each of these entities will save approximately \$100 per year in compliance costs. These entities comprise less than 1 percent of the total of similar enterprises operating in the State of Arkansas.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act.

The regulations in this subpart contain no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance

under No. 10.025 and is subject to Executive Order 12372, which required intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V).

List of Subjects in 7 CFR Part 301

Agricultural commodities, Pink bollworm, Plant diseases, Plant pests, Plants (Agriculture), Quarantine, Transportation.

PART 301—DOMESTIC QUARANTINE NOTICES

Accordingly, we are adopting as a final rule, without change, the interim rule that amended 7 CFR 301.52-2a and that was published at 55 FR 28595-28596 on July 12, 1990.

Authority: 7 U.S.C. 150bb, 150dd, 150ee, 150ff, 161, 162, and 164-167; 7 CFR 2.17, 2.51, and 371.2(c).

Done in Washington, DC, this 19th day of September 1990.

James W. Glosser,
Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-22580 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-34-M

7 CFR Part 318

[Docket No. 89-121]

Sharwil Avocados From Hawaii: Quarantine

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending "Subpart—Hawaiian Fruits and Vegetables" quarantine and regulations to allow interstate movement of untreated Sharwil avocados from Hawaii to any destination. Movement will be authorized by a certificate upon compliance with certain harvesting and handling requirements designed to prevent spread of the Mediterranean fruit fly, the melon fly, and the Oriental fruit fly. Previously, certified Sharwil avocados could be moved interstate only to Alaska; this change allows their movement to any State.

EFFECTIVE DATE: October 24, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Griffin, Operations Officer, Port Operations, PPQ, APHIS, USDA, room 631, Federal Building, 6505 Belcrest

Road, Hyattsville, MD 20782, 301-463-8645.

SUPPLEMENTARY INFORMATION:

Background

The Hawaiian Fruits and Vegetables regulations (contained in 7 CFR 318.13 through 318.13-16 and referred to below as the regulations), among other things, govern the interstate movement from Hawaii of avocados in a raw or unprocessed state. Regulation is necessary to prevent spread of the Mediterranean fruit fly (*Ceratitis capitata* (Wied.)), the melon fly (*Dacus cucurbitae* (Coq.)), and the Oriental fruit fly (*Dacus dorsalis* (Hendel)). These fruit flies, commonly referred to as "Trifly," infest Hawaii but not the rest of the United States.¹

Beginning in the early 1980's, Agricultural Research Service (ARS) scientists have conducted research² that has determined that Sharwil avocados are not hosts to Trifly if they are picked with a stem attached and, within 24 hours after being picked, certain handling procedures are followed and the avocados are packed in cartons impervious to Trifly.

On March 7, 1989, the Animal and Plant Health Inspection Service (APHIS) published in the *Federal Register* (54 FR 9453-9455, Docket No. 87-092) a proposal to amend the regulations to allow interstate movement of untreated Sharwil avocados from Hawaii to any destination pursuant to certificates based on compliance with certain harvesting and handling provisions. The proposal solicited comments postmarked or received by May 8, 1989. We subsequently published three other *Federal Register* documents, on May 1, 1989 (54 FR 18528-18529, Docket No. 89-065), May 16, 1989 (54 FR 21069-21070, Docket No. 89-087), and June 26, 1989 (54 FR 36767, Docket No. 89-118), that announced a public hearing, held on June 1, 1989, and reopened and extended the comment period to consider comments received by July 3, 1989.

¹ From time to time, localized infestations of these flies have occurred and have been eradicated in the continental United States. As of September 1989, localized infestations of Mediterranean fruit fly and Oriental fruit fly exist in areas of California, and these areas are being subjected to Federal and State quarantine and eradication programs.

² The initial ARS research was conducted during Hawaii's January-March 1985 harvesting season on 38,241 Sharwil avocados. At our request, ARS continued the study until February 1987. A total of 114,112 Sharwil avocados were ultimately inspected during the 24-hour post-picking period. No Trifly eggs or larvae were found. Documents concerning the ARS research may be obtained from Mr. Robert Griffin, Operations Officer, Port Operations, Operational Support, PPO, APHIS, USDA, room 631, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8645.

We are adopting the provisions of the proposed rule for the reasons set forth in the proposal and in this supplementary information section.

Comments and Responses.

We received a total of 77 written comments opposed to the proposed rule and 34 in favor of it. At the public hearing, 17 persons spoke in opposition to the proposed rule and one person spoke in favor of it.

Comments received on the proposed rule and our responses to them are discussed below.

Comment: The proposed rule did not contain a clear statement of how APHIS will enforce the requirements of the rule or the steps APHIS will take if Sharwil avocado growers or packers do not comply with the rule's requirements.

Response: We did not propose new enforcement provisions because enforcement provisions are already in place in "Subpart—Hawaiian Fruits and Vegetables," the subpart to which we proposed adding requirements for Sharwil avocados. In § 318.13-16, "Withdrawal of certificates, limited permits, or compliance agreements," the regulations state, "Any certificate, limited permit, or compliance agreement which has been issued or authorized may be withdrawn by an inspector orally or in writing, if such inspector determines that the holder thereof has not complied with all conditions under the regulations for the use of such document." Withdrawal of the certificate or compliance agreement will be the primary means used to enforce compliance with the requirements for Sharwil avocados, as it is now used to enforce compliance with other requirements of "Subpart—Hawaiian Fruits and Vegetables."

In proposed § 318.13-4(c), the proposed rule did contain a clear statement that APHIS will only certify Sharwil avocados for movement if the provisions of the regulations are met. Additional steps APHIS may take against individual violators, such as imposing civil penalties or seeking criminal prosecution, will depend largely on the circumstances of individual violation cases and our operational experience in enforcing the regulations. If APHIS develops any additional guidelines or policies on enforcing these regulations during the course of implementing them, these guidelines or policies will be published in the *Federal Register*.

Comment: The successful shipment of Sharwil avocados to Alaska without spreading fruit flies does not prove the fruit involved were free of flies because

the flies could not propagate in Alaska and demonstrate their presence. The proposal provide no information to show how Alaskan Sharwil shipments were inspected, or whether any of the Sharwils shipped to Alaska were cut open to look for fly larvae or held in a rearing facility to determine if any of the fruit were infested.

Response: All Sharwil avocados certified for shipment to Alaska were packed under supervision of a USDA inspector, who was present in the packing facility throughout the packing process to monitor procedures and inspect the avocados for signs of infestation. These inspections in Hawaii, not the absence of fruit fly propagation in Alaska, demonstrated that the Sharwil avocados shipped to Alaska were not infested. Upon arrival in Alaska inspectors confirmed the documentation of the Sharwil avocados and they were subjected to the routine inspection applied to fruits shipped from Hawaii, which do not involve cutting fruit or holding it in a rearing facility unless there are signs of infestation. No shipments of Sharwil avocados to Alaska showed signs of infestation, so no Sharwil avocados in Alaska were cut or held in a rearing facility. We agree that Trifly propagation and spread in Alaska is unlikely, and we did not rely on the absence of such spread as evidence that the Sharwil avocados shipped to Alaska were free of Trifly.

Comment: The proposal is not sufficiently descriptive of the Animal and Plant Health Inspection Service (APHIS) role in inspecting and monitoring Sharwil harvest and packing activities in Hawaii. It does not describe how APHIS will ensure that no Sharwils picked from the ground will be shipped, how often APHIS will check packing facilities for infestation, the size or level of samples to be inspected by APHIS during monitoring of packing, the number of inspectors needed to ensure the reliability of this system, or the amount of funds that APHIS will commit to ensure reliability.

Response: The provisions of the proposed and final rules state that all activities related to the harvesting and handling of the avocados (picking, holding prior to transportation to a packing facility, transportation to a packing facility, and handling at the packing facility) will be subject to monitoring by APHIS inspectors. It has not been APHIS regulatory practice, and we do not believe it is necessary, to include in our regulations the number of our inspectors involved in enforcing regulatory provisions or the percent of inspector time devoted to particular

activities. These decisions must be made at an operational level and depend on a number of variables that cannot be predicted by a general rule, e.g., the amount of regulated articles processed, the experience of inspectors enforcing provisions, and the history of violations and problems accumulated over time as a program is implemented. Also, we cannot predict in advance the amount of funds that will be available for particular programs, which depends on the annual budget process. Our position is that APHIS Sharwil avocado inspecting and monitoring activities will be implemented at levels sufficient to ensure compliance with the regulations. Sharwil avocados will not be certified unless program resources for monitoring and inspection are available at adequate levels to ensure compliance with the regulations.

Comment: The proposal did not supply convincing scientific data and test results demonstrating that the Sharwil avocado is not a fruit fly host.

Response: In the proposed rule and the notices of public hearing we offered to send documents describing ARS research on the host status of Sharwil avocados to anyone requesting them. These documents were also distributed at the public hearing. Further, the principal ARS researcher presented a summary of the research at the hearing.

The ARS research involved individual examination of 114,112 commercially harvested Sharwil avocados. None of the avocados, even the culls with detached stems and severe surface damage, was found to be infested with Trifly or contain Trifly eggs or larvae. Forced infestation studies of Sharwil avocados were also done, by confining 3 gravid female fruit flies with each avocado tested. Even under these forced infestation conditions, no Sharwil avocado with an intact skin and stem attached became infested during 24 hours of exposure. Overall, the ARS research concluded that a mature green Sharwil avocado is not a Trifly host if its stem is attached, its skin is undamaged, and it is packed within 24 hours of harvest.

Comment: Even under optimum conditions with rigorous enforcement, the proposed inspection and monitoring systems cannot maintain the same reliability as current methyl bromide treatment procedures.

Response: We disagree. Sharwil avocados harvested and packed in compliance with the final rule's requirements do not present a risk of spreading Trifly. There is a slight, controllable risk that occasionally a Sharwil avocado will be shipped that was not harvested and packed in

compliance with those requirements. We believe this risk is no greater than the risks associated with requiring fumigation as a condition of shipment. These risks include the lack of strict harvesting and packing requirements for fumigated articles, the possibility that the fumigation may be improperly conducted on occasion, and the possibility that some shipments required to be fumigated may be shipped unfumigated as a result of procedural or paperwork errors.

Comment: The rule should require Sharwil packers to treat the packing sheds with insecticide prior to the start of operations, remove all fruit fly host material from an area of at least 200 feet from the packing sheds, and remove all culls and debris at least 200 feet from the packing sheds and treat them with an appropriate insecticide.

Response: Paragraph (d)(1) of § 318.13-4h requires packing facilities operating in accordance with the regulations to be maintained free of all Trifly host material, other than Sharwil avocados packed in accordance with the regulations. This requirement is the same requirement applied to Sharwil avocados shipped to Alaska. In the April 20, 1988, Federal Register, this requirement was added to the regulations for Sharwil avocados shipped to Alaska, in place of a requirement that there be "no Trifly host material within 100 feet of the packing facility" (53 FR 12909, Docket No. 88-003). At that time, we replaced the 100-foot requirement because experience and research revealed it to be unnecessary. We have concluded that even if Trifly existed within 100 feet of the packing facility, they would be precluded entry into the facility by the requirement that all doors and other openings be maintained under conditions determined by an inspector as adequate to prevent the entry of Trifly. Also, even if Trifly gained entry, the ARS research indicates that Trifly will not infect even a severely damaged Sharwil avocado within the 24-hour period allowed between the time they are picked and the time they are packed in Trifly-impervious containers. For these reasons, the final rule does not require removal of fruit fly host material, culls, and debris from a 200 foot area around the packing facility, or require treatment of culls or Trifly host material in the vicinity of the packing facility.

Comment: The rule should require the packer's name, location, date, and compliance agreement number on a certificate accompanying the shipping containers.

Response: The final rule requires a certificate to accompany each shipment

of Sharwil avocados. The certificate records the packer's name, location, date, and compliance agreement number. Although not required by the final rule, each carton of fruit shipped interstate from Hawaii also normally bears a packer's label that would allow individual cartons to be traced back to the packer.

Comment: All packing should be done under supervision of a USDA inspector.

Response: All activities related to the harvesting and handling of Sharwil avocados, including packing, are subject to monitoring by USDA inspectors. Inspectors will directly supervise packing in each packing facility to the extent necessary to ensure compliance with the requirements of the regulations, based on inspector findings during implementation of the program. All packing of the Sharwil avocados shipped to Alaska was done with USDA inspectors present at the packing facility, and we will maintain this level of packing supervision if it seems necessary based on inspectors' reports. However, we may reduce the level of direct inspector supervision of packing if we determine that continuous supervision of packing is not necessary to ensure compliance with the requirements of the regulations.

Comment: APHIS inspectors involved in the program should be specifically trained to differentiate Sharwil avocados from other varieties and to identify evidence of infestation, skin and stem defects, and other standards of the rule.

Response: We agree, and APHIS inspectors involved in the program will be so trained. No change to the rule is necessary to accomplish this.

Comment: No procedure for shipping Sharwils can guarantee zero risk of spreading fruit flies. Any fruit fly spread risk is unacceptable, given the \$100 million cost of battling the last serious Medfly outbreak in California. Given this potential cost, the rule should be considered a "major rule."

Response: APHIS recognizes that any movement of fruit or other plant products or related articles presents some risk of spreading pests, and also recognizes that the cost of eradicating outbreaks of certain pests could be very high. To attempt to eliminate all risks, we would have to ban imports and interstate movements of almost all agricultural products and related articles, and even then some risk would exist due to smuggling, which tends to increase when articles are banned, and accidents. APHIS policy is to allow movement of fruit when the risks associated with the movement are

reduced to insignificant levels. We believe the final rule reduces the risks associated with interstate movement of Sharwil avocados to an insignificant level.

A rule is considered a "major rule" in accordance with Executive Order 12291 if the rule is likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions, or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets. APHIS does not agree that adoption of the final rule is likely to result in any of these effects. These effects would only be likely to occur if the requirements of the rule failed to prevent the introduction of a serious pest, and if that pest became established and spread in the United States. APHIS has carefully designed the requirements of the rule to prevent such an occurrence. The economic impacts we expect to occur fall far short of the \$100 million range, and are discussed in the Executive Order 12291 and Regulatory Flexibility Act section of this rule.

Comment: Sharwil avocados are natural hosts to Trifly.

Response: We disagree.

Comprehensive research discussed in the proposed and final rules indicates that mature green Sharwil avocados with attached stems and intact skins will only become Sharwil hosts under forced and artificial conditions.

Comment: There is no economic sense in risking infestation of mainland fruit industries for the benefit of a small Hawaiian Sharwil industry.

Response: We do not believe that adopting the final rule presents a significant risk of infesting mainland fruit industries, based on the ARS research of Sharwil host status.

Comment: Sharwil avocados should be fumigated with methyl bromide as a shipment condition. An article by Dr. Philip J. Ito states that Sharwils can be treated with methyl bromide with minimal effects on quality.

Response: There are two approved methyl bromide treatments for avocados, contained in §§ 318.13-4d and 318.13-4e. The first treatment involves a 4-hour exposure and the second treatment involves a 2½ hour exposure followed by refrigeration for 7 days. Based on extensive experience with these treatments, APHIS has determined that the first treatment frequently causes pitting and internal and external

discoloration in Sharwil avocados and reduces the shelf life of the avocado by 2 to 4 days. The second treatment has been found to be slightly injurious to Sharwil avocados, and the 7 day refrigeration period means there is insufficient shelf life to market avocados following this treatment. We believe that Sharwil avocados cannot be effectively fumigated with methyl bromide without causing an economically significant fraction of shipments to suffer effects that reduce their marketability. We differ with Dr. Ito's findings in terms of what constitutes a minimal effect; we have found that treatment with methyl bromide causes effects that are not minimal in terms of the marketability of the avocados, and accordingly, APHIS includes this disclaimer in the methyl bromide treatment schedule for avocados: "This treatment is recognized as one which may be marginal as to varietal tolerance of avocados and the owner or shipper is warned of possible injury."

Comment: APHIS cannot practically ensure that growers, pickers and packers will follow the fruit selection, handling and time requirements in the rule. Some nicked, bruised, cut, or stem-out fruit will inevitably be shipped.

Response: We believe that the compliance agreement, monitoring, and enforcement provisions of the final rule are a practical means of ensuring that Sharwil avocados that present a pest risk will not be certified and shipped. The rule provides multiple levels of requirements for screening out ineligible avocados, including enforcement of compliance agreement provisions by the grower, monitoring of harvest activities by APHIS inspectors, enforcement of packing standards by the packers, and monitoring of packing by APHIS inspectors.

Comment: APHIS cannot expect pickers and packers to reliably distinguish between Sharwils and other avocado breeds when assembling shipments for the mainland.

Response: Our experience with the Sharwil avocado shipments packed for movement to Alaska indicates that pickers and packers can and do reliably distinguish between Sharwil avocados and other breeds. Also, the location of Sharwil and non-Sharwil plants are clearly distinguished in the compliance agreements under which each grower operates.

Comment: Some growers and even inspectors are amenable to graft, which could result in ineligible Sharwil avocados being shipped.

Response: Any regulation may be considered ineffective if you assume

subornation of the officials responsible for enforcing its provisions. Comparing the relatively small profits involved in shipping Sharwil avocados to the risks involved in attempted bribery, we do not consider this a likely event. However, such attempts may occur. APHIS and USDA maintain controls to guard against graft in all of their programs, and believe these controls to be effective.

Comment: Hawaiian Sharwil growers should be encouraged to ship to non-fruit growing areas overseas, rather than to the U.S. mainland.

Response: Selecting markets for growers is outside the legal authority of APHIS. We are limited to prohibiting or restricting movement to domestic markets if the movement presents unacceptable risks. This is not the case with regard to the final rule.

Comment: In addition to Trifly, Sharwils may spread the Malaysian or solanaceous fruit fly, *Dacus latifrons*.

Response: *Dacus latifrons* exists in Hawaii only on the island of Oahu, and there are no Sharwil avocado groves on Oahu. Also, *Dacus latifrons* is a pest of solanaceous fruits such as eggplants, peppers, and tomatoes. Research by ARS has shown that *Dacus latifrons* is extremely unlikely to attack avocados except under forced and unnatural conditions.

Comment: A study by Oi and Mau concluded that Sharwil avocados can serve as a potential host of Mediterranean and Oriental fruit flies under reasonable normal harvesting and handling conditions.

Response: We disagree with that conclusion of the Oi-Mau study. The study was not a good model of infestation possible under natural conditions. In the study, the number of flies confined with each Sharwil avocado (35 gravid females) was many times the level found under natural conditions. Our conclusions are based on ARS research on the host status of Sharwil avocados, discussed above.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this rule will have an effect on the economy of less than \$100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and will not cause a significant adverse impact on

competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Hawaiian Sharwil avocado industry is small. In 1986-1987, production was limited to about 100 acres, yielding approximately 80 tons of Hawaiian Sharwil avocados. In contrast, the total annual United States avocado production was 273,000 tons during this same period. Foreign-grown avocados imported for consumption by American consumers totaled 5,622 tons in 1985 (the last year for which figures are available). Thus, the amount of Sharwil avocados moved interstate from Hawaii constitutes less than one-tenth of one percent of the total annual United States avocado production.

It further appears that allowing shipments to any interstate destination will not significantly increase Hawaiian Sharwil avocado production. Sharwil avocados can be grown only under certain climatic and soil conditions, which are not widely available throughout the Hawaiian Islands. Thus, the possibility of increases in Sharwil avocado production is limited.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

This final rule contains no information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

List of Subjects in 7 CFR Part 318

Agricultural commodities, Avocados, Guam, Hawaii, Plant diseases, Plant pests, Plants (Agriculture), Puerto Rico, Quarantine, Transportation, Virgin Islands.

PART 318—HAWAIIAN AND TERRITORIAL QUARANTINE NOTICES

Accordingly, 7 CFR part 318 is amended as follows:

1. The authority citation for 7 CFR part 318 continues to read as follows:

Authority: 7 U.S.C. 150dd, 150ee, 150ff, 151-167; 7 CFR 2.17, 2.51 and 371.2(c).

§§ 318.13, 318.13a, 318.13-2, 318.13-3, 318.13-4, 318.13-4a, 318.13-4b, 318.13-4c, 318.13-4d, 318.13-4e, 318.13-4g, 318.13-4h, 318.13-5, 318.13-15, and 318.13-16 [Amended]

2. Section 318.13(a)(2) is amended by removing "§ 318.13-1(c)" and inserting "§ 318.13-1" in its place.

3. Sections 318.13(b), 318.13-2(a)(1), 318.13-2(b), 318.13-4(b), 318.13-4a(b), 318.13-4a(d), 318.13-4c introductory text, 318.13-4d introductory text, and 318.13-4e introductory text are amended by removing "Deputy Administrator of the Plant Protection and Quarantine Programs", and inserting "Administrator of the Animal and Plant Health Inspection Service" in its place.

4. Section 318.13-3(b)(1) is amended by removing "§ 318.13-1(c)" and inserting in "§ 318.13-1" in its place.

5. Paragraph (b)(2)(iii) of § 318.13-4g is amended by removing "§ 318.13-4(d)" and inserting "§ 318.13-4(e)" in its place.

6. Sections 318.13-4h(e) and 318.13-16 are amended by removing "Deputy".

7. Sections 318.13-4b(a)(3), 318.13-4b(a)(4), 318.13-4c(a)(1), 318.13-4c(b), 318.13-4d(a)(1), 318.13-4d(b), 318.13-4e(a)(1), 318.13-4e(b), 318.13-5, and 318.13-15 are amended by removing "Plant Protection and Quarantine Programs", and inserting "Animal and Plant Health Inspection Service" in its place.

§ 318.13-1 [Amended]

8. Section 318.13-1 is amended as follows:

a. The definition of "Compliance agreement" is amended by removing "§ 318.13-4(g)" and inserting in its place "§ 318.13-4(e), § 318.13-4g and § 318.13-4h".

b. The definition of "Deputy Administrator" is removed.

c. A new definition is added in alphabetical order for "Animal and Plant Health Inspection Service".

As amended, § 318.13-1 reads as follows:

§ 318.13-1 Definitions.

* * * * *

Animal and Plant Health Inspection Service. The Animal and Plant Health Inspection Service of the United States Department of Agriculture (APHIS).

* * * * *

§ 318.13-2 [Amended]

9. Section 318.13-2 is amended by removing paragraph (a)(2) and the designating (1) in paragraph (a).

§ 318.13-3 [Amended]

10. Section 318.13-3 is amended by removing paragraph (b)(2) and the designating (1) in paragraph (b).

§ 318.13-4 [Amended]

11. Section 318.13-4 is amended as follows:

a. Paragraphs (c) and (d) are redesignated as paragraphs (d) and (e), respectively.

b. A new paragraph (c) is added.

c. Newly redesignated paragraph (d) is revised.

d. Newly redesignated paragraph (e) is amended by adding "or (c)" immediately following the phrase "paragraph (b)".

As amended, § 318.13-4 reads as follows:

§ 318.13-4 Conditions governing the issuance of certificates or limited permits.

* * * * *

(c) *Certification of Sharwil avocados.* Certificates will be issued for the interstate movement of Sharwil avocados only if the provisions of § 318.13-4h are met.

(d) *Limited Permits.* Limited permits may be issued by an inspector for the movement of noncertified regulated articles designated in § 318.13-3(b).

* * * * *

§ 318.13-4h [Amended]

12. Section 318.13-4h is amended as follows:

a. The section heading is amended by removing "limited permits for Sharwil avocados for movement to Alaska" and inserting "certification of Sharwil avocados".

b. The introductory paragraph is amended by removing "limited permit for movement from Hawaii to Alaska" and inserting "certificate for interstate movement from Hawaii".

c. Paragraph (e) is amended by removing "and were clearly marked 'To be distributed in the United States only in Alaska'".

d. Paragraph (f) is amended by removing "Plant Protection and Quarantine" and inserting "the Animal and Plant Health Inspection Service" in its place, and by removing "movement from Hawaii to Alaska" and inserting "interstate movement from Hawaii" in its place.

e. Paragraph (f)(2) is amended by removing "Plant Protection and Quarantine" and inserting "Animal and Plant Health Inspection Service" in its place.

f. Paragraph (g) is amended by removing "Plant Protection and Quarantine" and inserting "the Animal

and Plant Health Inspection Service" in its place, by removing "limited permit" and inserting "certificate" in its place, and by removing "marked".

Done in Washington, DC, this 19th day of September 1990.

James W. Glosser,
Administrator, Animal and Plant Health
Inspection Service.

[FR Doc. 90-22571 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-34-M

Agricultural Marketing Service

7 CFR Part 929

[FV-90-187FR]

Expenses and Assessment Rate for Cranberries Grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule authorizes expenditures and establishes an assessment rate under Marketing Order No. 929 for the 1990-91 fiscal year established under the cranberry marketing order. This action is needed for the Cranberry Marketing Committee (Committee), the agency responsible for the local administration of the order, to incur operating expenses during the 1990-91 fiscal year and to collect funds during that year to pay those expenses. This will facilitate program operations. Funds to administer this program are derived from assessments on handlers.

EFFECTIVE DATES: September 1, 1990, through August 31, 1991.

FOR FURTHER INFORMATION CONTACT:

Patricia A. Petrella, Marketing Specialist, Marketing Order Administration Branch, F&V, AMS, USDA, P.O. Box 96456, room 2525-S, Washington, DC 20090-6456; telephone: (202) 475-3920.

SUPPLEMENTARY INFORMATION: This final rule is issued under Marketing Agreement and Order No. 929 (7 CFR part 929), regulating the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the Act.

This rule has been reviewed by the U.S. Department of Agriculture

(Department) in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this final rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 30 handlers of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, and approximately 950 producers in the regulated area. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual receipts of less than \$500,000, and small agricultural service firms are defined as those whose annual receipts are less than \$3,500,000. The majority of cranberry handlers and producers may be classified as small entities.

The cranberry marketing order requires that an assessment rate for a particular fiscal year shall apply to all assessable cranberries handled from the beginning of such year. An annual budget of expenses is prepared by the Committee and submitted to the Department for approval. The members of the committee are producers of cranberries. They are familiar with the Committee's needs and with the costs for goods, services, and personnel in their local areas and are thus in a position to formulate appropriate budgets.

The assessment rate recommended by the Committee is derived by dividing anticipated expenses by expected shipments of cranberries. Because that rate is applied to actual shipments, it must be established at a rate which will produce sufficient income to pay the Committee's expected expenses. The recommended budget and rate of assessment are usually acted upon by the Committee before a season starts, and expenses are incurred on a continuous basis. Therefore, the budget and assessment rate approval must be

expedited so that the Committee will have funds to pay its expenses for the 1990-91 fiscal year which began on September 1, 1990.

The Committee conducted a mail vote and recommended 1990-91 marketing order expenditures of \$159,850 and an assessment rate of \$0.037 per 100-pound barrel of cranberries shipped. In comparison, 1989-90 marketing year budgeted expenditures were \$172,602, and the assessment rate was \$0.037 per 100-pound barrel of cranberries shipped. Assessment income for 1990-91 is estimated at \$149,850 based on a crop of 4,050,000 barrels of cranberries. Interest income expected to be received is estimated at \$10,000, bringing total income to \$159,850. Major budget categories for 1990-91 are \$70,995 for salaries, \$39,500 for travel and meeting expenses, and \$34,425 for administrative expenses. Comparable budgeted expenditures for the 1989-90 crop were \$71,860, \$44,000, and \$39,667, respectively.

While this action will impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs will be significantly offset by the benefits derived from the operation of the marketing order. Therefore, the Administrator of the AMS has determined that this action will not have a significant economic impact on a substantial number of small entities.

This action adds a new § 929.231 and is based on Committee recommendations and other available information. A proposed rule was published in the August 3, 1990, issue of the Federal Register (55 FR 31606). Comments on the proposed rule were invited from interested persons until August 13, 1990. No comments were received.

After consideration of the information and recommendations submitted by the Committee and other available information, it is found that this final rule will tend to effectuate the declared policy of the Act.

This action should be expedited because the Committee needs to have sufficient funds to pay its expenses, which are incurred on a continuous basis. Therefore, it is also found that good cause exists for not postponing the effective date of this action until 30 days after publication in the Federal Register (5 U.S.C. 553).

List of Subjects in 7 CFR Part 929

Cranberries, Marketing agreements, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, 7 CFR part 929 is amended as follows:

PART 929—CRANBERRIES GROWN IN MASSACHUSETTS, RHODE ISLAND, CONNECTICUT, NEW JERSEY, WISCONSIN, MICHIGAN, MINNESOTA, OREGON, WASHINGTON, AND LONG ISLAND IN THE STATE OF NEW YORK

1. The authority citation for 7 CFR part 929 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

2. Section 929.231 is added to read as follows:

Note: This section will not appear in the annual Code of Federal Regulations.

§ 929.231 Expenses and assessment rate.

Expenses of \$159,850 by the Cranberry Marketing Committee are authorized, and an assessment rate of \$0.037 per 100-pound barrel of assessable cranberries is established for the fiscal year ending August 31, 1991. Unexpended funds may be carried over as a reserve.

Dated: September 18, 1990.

Robert C. Keeney,

Acting Director, Fruit and Vegetable Division.

[FR Doc. 90-22565 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 94

[Docket No. 90-136]

Importation of Fresh, Chilled, and Frozen Meat and Milk and Milk Products

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: We are amending the regulations governing the importation of fresh, chilled, and frozen meat, and milk and milk products, that are from ruminants and swine and that originate in countries free of rinderpest and foot-and-mouth disease exists en route to the United States. This action will allow officials to seal the container, rather than the entire hold or compartment of a carrier, if the meat to be imported is containerized. The action will also allow these meat, milk and milk products, which must be shipped under seal, to remain eligible for entry into the United States under certain circumstances, even if the seal is broken or has a different number than is recorded on the

documents accompanying the meat, milk, or milk products. These amendments will relieve restrictions that are not necessary to prevent the introduction of rinderpest or foot-and-mouth disease into the United States.

EFFECTIVE DATE: October 24, 1990.

FOR FURTHER INFORMATION CONTACT:

Dr. John H. Blackwell, Import-Export Products Staff, VS, APHIS, USDA, room 757, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-7834.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 94 (the regulations), govern the importation into the United States of animal products. With some exceptions, the regulations prohibit the importation of ruminants and swine, and milk, milk products, and fresh, chilled, and frozen meat of ruminants and swine, that originate in or are shipped from a country where rinderpest or foot-and-mouth disease (FMD) exists or that enter a port in or otherwise transit such a country. However, the regulations allow the importation, under certain conditions, of fresh, chilled, and frozen meat of ruminants or swine raised and slaughtered in a country free of rinderpest and foot-and-mouth disease, even if the meat enters a port or otherwise transits a country where rinderpest or FMD does exist. Likewise, the regulations allow the importation, under certain conditions, of milk and milk products that originate in and are shipped from countries free of rinderpest and FMD, but that enter a port or otherwise transit a country where one of these diseases exists.

On May 2, 1990, we published in the Federal Register (55 FR 18342-18345, Docket Number 85-095), a document proposing to amend the regulations governing the importation of fresh, chilled, and frozen meat, and milk and milk products, that are from ruminants and swine and that originate in countries free of rinderpest and foot-and-mouth disease but enter a port or otherwise transit a country where a rinderpest or foot-and-mouth disease exists en route to the United States, to allow officials to seal the container, rather than the entire hold or compartment of a carrier, if the meat to be imported is containerized; and to allow the meat, and milk and milk products, shipped under seal, to remain eligible for entry into the United States under certain conditions, even if the seal is broken or has a different number than is recorded on the documents

accompanying the meat, milk, or milk products.

Our proposal invited the submission of written comments, which were required to be received on or before July 2, 1990. We received two comments. The first comment, from an association of meat importers, supported the proposed rule. The comment stated that the amendments acknowledge modern shipping techniques and promote a more convenient way to transact business.

The other commenter, a state farm bureau, opposed the proposed rule. The commenter acknowledged the safeguards but asserted that, even with the safeguard provisions, the proposed rule would put the health and prosperity of the United States dairy and livestock industries at risk. However, the commenter did not indicate why it felt the rule would put those industries at risk. No changes are made based on this comment. For the reasons explained in the proposed rule at 55 FR 18343-18344, we have determined that the amendments in this final rule relieve restrictions that are not necessary to prevent the introduction of rinderpest or foot-and-mouth disease into the United States.

Based on the rationale set forth in the proposal and in this document, we are adopting the provisions of the proposal as a final rule without change.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this action will have an effect on the economy of less than \$100 million; will not cause a major increase in costs of prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have a significant effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Allowing shipments of meat, milk and milk products to remain eligible for entry into the United States even though they arrive in a container with a seal that has been broken or changed could result in economic benefit to some importers. However, the volume of meat, and milk and milk products affected by this change is unlikely to be more than a small percentage of any importer's goods. Further, based on the size of these shipments (40,000 to 45,000 pounds

per container), it appears that few, if any, of the potentially affected importers are small entities.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Paperwork Reduction Act

Information collection requirements contained in this document have been approved by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*) and have been assigned OMB control number 0579-0015.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V.)

List of Subjects in 9 CFR Part 94

African swine fever, Animal diseases, Exotic Newcastle disease, Foot-and-mouth disease, Fowl pest, Garbage, Hog cholera, Imports, Livestock and livestock products, Meat and meat products, Milk, Poultry and poultry products, Rinderpest, and Swine vesicular disease.

Accordingly, the regulations in 9 CFR part 94 are amended as follows:

PART 94—RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST (FOWL PLAGUE), NEWCASTLE DISEASE (AVIAN PNEUMOENCEPHALITIS), AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

1. The authority citation for part 94 continues to read as follows:

Authority: 7 U.S.C. 147a, 150ee, 161, 162, 450; 19 U.S.C. 1308; 21 U.S.C. 111, 114a, 134a, 134b, 134c, and 134f; 31 U.S.C. 9701; 42 U.S.C. 4331, 4332; 7 CFR 2.17, 2.51, and 371.2(d).

§ 94.0 [Amended]

2. In § 94.0, a definition of "Container" is added, in alphabetical order, to read as follows:

Container. For the purposes of § 94.1(c) and § 94.16(c), this term means a receptacle, sometimes refrigerated, which is designed to be filled with cargo, sealed, and then moved, without unsealing or unloading, aboard a variety of different transporting carriers.

§ 94.1 [Amended]

3. In § 94.1(c), the introductory text is amended by removing the word "if" before the colon and adding in its place the phrase "provided that all of the following conditions are met".

§ 94.1 [Amended]

4. In § 94.1, paragraph (c)(2) is amended by removing the words "hold or compartment which" and adding the words "hold, compartment, or, if the meat is containerized, in a container that" in their place; by removing the words "after the hold or compartment" and adding the words "after the hold, compartment, or container" in their place; and by removing the words "such sealed hold or compartment," and adding the words "the sealed hold, compartment, or container," in their place.

§ 94.1 [Amended]

5. In § 94.1, paragraphs (c)(3), (c)(4), and (c)(5) are redesignated as paragraphs (c)(4), (c)(5), and (c)(6), and a new paragraph (c)(3) is added to read as follows:

(c) * * *

(3) If any foreign official breaks a seal applied in the country of origin in order to inspect the meat, he or she then reseals the hold, compartment, or container with a new serially numbered seal; and, if any member of a ship's crew breaks a seal, the serial number of the seal, the location of the seal, and the reason for breaking the seal are recorded in the ship's log.

§ 94.1 [Amended]

6. In § 94.1, redesignated paragraph (c)(4) is amended by removing the words "hold or compartment of the transporting carrier" and adding "hold, compartment, or container" in their place.

§ 94.1 [Amended]

7. In § 94.1, redesignated paragraph (c)(5) is revised to read as follows:

(c) * * *

(5) Upon arrival of the carrier in the United States port of arrival, the seals are found by an APHIS representative to be intact, and the representative finds that there is no evidence indicating that any seal has been tampered with; *Provided that*, if the representative finds that any seal has been broken or has a different number than is recorded on the foreign meat inspection certificate, then the meat may remain eligible for entry into the United States only if APHIS personnel are available to inspect the

hold, compartment, or container, the packages of meat, and all accompanying documentation; and the importer furnishes additional documentation (either copies of pages from the ship's log signed by the officer-in-charge, or certification from a foreign government that the original seal was removed and the new seal applied by officials of that government) that demonstrates to the satisfaction of the Administrator that the meat was not contaminated or exposed to contamination during movement from the country of origin to the United States; and

§ 94.16 [Amended]

8. In § 94.16, paragraph (c)(1) is amended by changing the period to a semicolon and adding a phrase to read as follows:

(c) * * *

(1) * * *; except that, if any seal applied at the point of origin was broken by any foreign official to inspect the shipment, an authorized representative of that country applied a new serially numbered official seal to the hold, compartment, or container in which the milk or milk products were transported; and if any member of a ship's crew broke a seal, the serial number of the seal, the location of the seal, and the reason for breaking the seal were recorded in the ship's log.

§ 94.16 [Amended]

9. In § 94.16, paragraph (c)(3) is amended by changing the period to a semicolon and adding a phrase to read as follows:

(c) * * *

(3) * * *; *Provided that*, if the representative finds that any seal has been broken or has a different number than is recorded on the accompanying document, then the milk or milk products may remain eligible for entry into the United States only if APHIS personnel are available to inspect the hold, compartment, or container, the cartons or other containers of milk or milk products, and all accompanying documentation; and the importer furnishes additional documentation (either copies of pages from the ship's log signed by the officer-in-charge, or certification from a foreign government that the original seal was removed and the new seal applied by officials of the government) that demonstrates to the satisfaction of the Administrator that the milk or milk products were not

contaminated or exposed to contamination during movement from the country of origin to the United States.

Done in Washington, DC, this 19th day of September 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-22570 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF COMMERCE

Office of the Secretary

15 CFR Parts 4b and 17

Technology Administration

37 CFR Chapters IV and V

[Docket No. 900540-0140]

Organizations and Functions; Office of Technology Policy

AGENCY: Office of the Secretary, Commerce, Technology Administration, Commerce.

ACTION: Final rule; nomenclature change.

SUMMARY: The National Institute of Standards and Technology Authorization Act for Fiscal Year 1989 (the "Act"), Public Law No. 100-519, enacted on October 23, 1988, as implemented by Department

Organization Orders 10-18 and 10-19, brought about several administrative and organizational changes within the Department of Commerce. For example, the duties and responsibilities of the now-defunct Office of the Assistant Secretary for Productivity, Technology and Innovation were transferred to either the Under Secretary of Commerce for Technology or the Assistant Secretary for Technology Policy. Also, several of the duties and responsibilities of the Under Secretary of Commerce for Economic Affairs were transferred to the Under Secretary for Technology. The purpose of this notice is to update our regulations to reflect these administrative and organizational changes.

EFFECTIVE DATE: October 24, 1988.

FOR FURTHER INFORMATION CONTACT: Philip J. Greene (202) 377-5394.

SUPPLEMENTARY INFORMATION: Because this rulemaking document concerns agency organization and management, it is not a rule or regulation within the meaning of section 1(a) of Executive Order 12291, and it is not subject to the requirements of that order.

Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by section 553 of the Administrative Procedure Act (5 U.S.C. 553), or by any other law, no regulatory flexibility analysis has to be or will be prepared for purposes of the Regulatory

Flexibility Act (5 U.S.C. 603(a) and 604(a)).

This final rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612. This rule does not contain collections of information for purposes of the Paperwork Reduction Act.

For the reasons set forth in the Preamble, 15 CFR Subtitle A and 37 CFR Chapters IV and V are amended as follows:

15 CFR Subtitle A, 37 CFR Chapters IV and V [Amended]

1. The authority citations for 37 CFR parts 401 and 404 are revised to read as follows:

Authority: 35 U.S.C. 206 and the delegation of authority by the Secretary of Commerce to the Assistant Secretary of Commerce for Technology Policy at sec. 3(g) of DOO 10-18.

2. Further, the authority citation for 37 CFR part 501 is revised to read as follows:

Authority: Sec. 4, E.O. 10096, 3 CFR, 1949-1953 Comp., p. 292, as amended by E.O. 10930, 3 CFR, 1959-1963 Comp., p. 456; and delegations of authority by the Secretary of Commerce, January 4, 1990, DOO 10-17 and DOO 10-18.

3. In the list below, for each citation indicated in the left column, remove the title or information indicated in the middle column and add the title or information indicated in the right column.

CFR Citation	Remove	Add
15 CFR Part 4b, Appendix A, Footnote 2	Office of the Assistant Secretary for Productivity, Technology and Innovation.	(No addition.)
15 CFR 17.22(c)	Assistant Secretary means the Assistant Secretary for Productivity, Technology and Innovation.	Under Secretary means the Under Secretary for Technology.
15 CFR 17.24 introductory text, (c)	Assistant Secretary	Under Secretary.
15 CFR 17.25(a), (b)	Assistant Secretary	Under Secretary.
15 CFR 17.26(a), (b), (c)	Assistant Secretary	Under Secretary.
37 CFR Chapter IV (Heading)	Productivity, Technology and Innovation	Technology Policy.
37 CFR Chapter V (Heading)	Economic Affairs	Technology.
37 CFR 501.3(a)	Economic Affairs	Technology.

Dated: September 13, 1990.

Robert M. White,

Under Secretary of Commerce for Technology.

[FR Doc. 90-22327 Filed 9-21-90; 8:45 am]

BILLING CODE 3510-BW-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 24

Current IRS Interest Rate Used in Calculating Interest on Overdue Accounts and Refunds

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Notice of calculation and interest.

SUMMARY: This notice advises the public of the interest rates for overpayments and underpayments of Customs duties. The rates are 11 percent for overpayments and 10 percent for underpayments for the quarter beginning October 1, 1990. This notice is being published for the convenience of the importing public and Customs personnel.

EFFECTIVE DATE: October 1, 1990.

FOR FURTHER INFORMATION CONTACT: Robert B. Hamilton, Jr., Revenue Branch, National Finance Center, (317) 298-1245.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the Federal Register on May 29, 1985 (50 FR 21932), the interest rate paid on applicable overpayments or underpayments of Customs duties shall be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621. Interest rates are determined based on the short-term federal rate. The interest rate that Treasury pays on overpayments will be the short-term Federal rate plus 2 percentage points. The interest rate paid to the Treasury for underpayments will be the short-term Federal rate plus 3 percentage points. The rates will be rounded to the nearest full percentage.

The interest rates are determined by the Internal Revenue Service on behalf of the Secretary of the Treasury based on the average market yield on outstanding marketable obligations of the U.S. with remaining periods to maturity of 3 years or less and are to fluctuate quarterly. The rates are determined during the first month of a calendar quarter and become effective for the following quarter.

The rates of interest for the period of October 1, 1990-December 31, 1990, are 10 percent for overpayments and 11 percent for underpayments. These rates will remain in effect through December 31, 1990, and are subject to change on January 1, 1991.

Dated: September 18, 1990.

Michael H. Lane,

Acting Commissioner of Customs.

[FR Doc. 90-22532 Filed 9-21-90; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 522

Implantation or Injectable Dosage Form New Animal Drugs Not Subject to Certification; Ivermectin and Clorsulon Injection

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Merck Sharp & Dohme Research Laboratories providing for safe and effective use of IVOMEC-F* (ivermectin/clorsulon) injection in cattle for treating and

controlling infections caused by certain species of gastrointestinal nematodes, lungworms, liver flukes, grubs, lice, and mites.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Diane T. McRae, Center for Veterinary Medicine (HFV-135), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4913.

SUPPLEMENTARY INFORMATION: Merck Sharp & Dohme Research Laboratories, Division of Merck & Co., Rahway, NJ 07065, filed NADA 140-833, providing for subcutaneous use of IVOMEC-F* (1 percent weight per volume (w/v) ivermectin and 10 percent w/v clorsulon) injection for cattle for treatment and control of infections caused by certain gastrointestinal nematodes, lungworms, liver flukes, grubs, lice, and mites. Separate drug products containing ivermectin for treatment and control of all the parasites listed above except flukes, and clorsulon for treatment and control of flukes are currently approved. The subject product is intended to provide for combination administration.

The NADA was approved by a letter dated September 17, 1990, and 21 CFR 522.1193 is added to reflect the approval. The basis for approval is discussed in the freedom of information summary.

This approval qualifies for 3 years of marketing exclusivity beginning September 17, 1990, because the criteria for such exclusivity under the Generic Animal Drug and Patent Term Restoration Act of 1988, section 512(c)(2)(F)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(ii)) have been met.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Room 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The agency has determined under 21 CFR 25.24(d)(1)(ii) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects in 21 CFR Part 522

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under

authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 522 is amended as follows:

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

1. The authority citation for 21 CFR part 522 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. New § 522.1193 is added to read as follows:

§ 522.1193 Ivermectin and clorsulon injection.

(a) *Specifications.* Each milliliter of sterile aqueous solution contains 10 milligrams (1 percent) of ivermectin and 100 milligrams (10 percent) of clorsulon.

(b) *Sponsor.* See 000006 in § 510.600(c) of this chapter.

(c) *Related tolerances.* See §§ 556.163 and 556.344 of this chapter.

(d) *Conditions of use—(1) Amount.* 1 milliliter (10 milligrams of ivermectin and 100 milligrams of clorsulon) per 50 kilograms (110 pounds).

(2) *Indications for use.* It is used in cattle for the treatment and control of gastrointestinal nematodes (adults and fourth-stage larvae) (*Haemonchus placei*, *Ostertagia ostertagi* (including inhibited larvae), *O. lyrata*, *Trichostrongylus axei*, *T. colubriformis*, *Cooperia oncophora*, *C. punctata*, *C. pectinata*, *Oesophagostomum radiatum*, *Nematodirus helvetianus* (adults only), *N. spathiger* (adults only), *Bunostomum phlebotomum*; lungworms (adults and fourth-stage larvae) (*Dictyocaulus viviparus*); liver flukes (adults only) (*Fasciola hepatica*); grubs (parasitic stages) (*Hypoderma bovis*, *H. lineatum*); lice (*Linognathus vituli*, *Haematopinus eurysternus*, *Solenopotes capillatus*); mites (*Psoroptes ovis* [syn. *P. communis* var. *bovis*], *Sarcoptes scabiei* var. *bovis*).

(3) *Limitations.* For subcutaneous use only. Not for intravenous or intramuscular use. Do not treat cattle within 49 days of slaughter. Because a withdrawal time in milk has not been established, do not use in female dairy cattle of breeding age. Do not use in other animal species because severe adverse reactions, including fatalities in dogs, may result. Consult your veterinarian for assistance in the diagnosis, treatment, and control of parasitism.

Dated: September 17, 1990.

Gerald B. Guest,

Director, Center for Veterinary Medicine.

[FR Doc. 90-22525 Filed 9-21-90; 8:45 am]

BILLING CODE 4160-01-M

UNITED STATES INFORMATION AGENCY

22 CFR Part 514

Sponsors of Exchange Visitor Camp Counselor Programs; Correction

AGENCY: United States Information Agency.

ACTION: Notice of correction of telephone number.

SUMMARY: This notice corrects the telephone number for the contact person in the policy statement on Exchange Visitor Camp Counselor Programs previously published in the *Federal Register* July 23, 1990, (55 FR 29843), as set forth below.

FOR FURTHER INFORMATION CONTACT: Merry Lymn, (202) 619-6829.

Alberto J. Mora,

General Counsel.

[FR Doc. 90-22484 Filed 9-21-90; 8:45 am]

BILLING CODE 8230-01-M

22 CFR Part 514

Exchange Visitor Summer Student Travel/Work Programs; Corrections

AGENCY: United States Information Agency.

ACTION: Statement of policy and notice to sponsors; correction.

SUMMARY: This notice corrects the second sentence under the Supplementary Information of the policy statement on Exchange Visitor Summer Student Travel/Work Programs previously published in the *Federal Register* August 13, 1990, (55 FR 2906). The sentence should read "That report questions the appropriateness of some of the summer student travel/work programs under the J-visa." This notice also corrects the telephone number for the contact person.

FOR FURTHER INFORMATION CONTACT: Merry Lymn, (202) 619-6829.

Alberto J. Mora,

General Counsel.

[FR Doc. 90-22485 Filed 9-21-90; 8:45 am]

BILLING CODE 8230-01-M

22 CFR Part 514

Sponsors of Exchange Visitor Training Programs; Correction

AGENCY: United States Information Agency.

ACTION: Notice of correction of telephone number.

SUMMARY: This notice corrects the telephone number for the contact person in the policy statement on Exchange Visitor Training Programs previously published in the *Federal Register* August 13, 1990, (55 FR 32907), as set forth below.

FOR FURTHER INFORMATION CONTACT:

Merry Lymn (202) 619-6829.

Alberto J. Mora,

General Counsel.

[FR Doc. 90-22486 Filed 9-21-90; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Part 888

[Docket No. N-90-3097; FR-2828-N-02]

Section 8 Housing Assistance Payments Program; Fair Market Rents for New Construction and Substantial Rehabilitation—Rome, GA Market Area—Fiscal Year 1988

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Final notice.

SUMMARY: Section 8(c)(1) of the United States Housing Act of 1937 requires the Secretary to establish Fair Market Rents (FMRs) periodically, but not less frequently than annually. This document establishes new FMRs for the Rome, Georgia market area for Fiscal Year 1988 (FY 1988). These rents are necessary to provide FMRs more comparable to market rents for new construction in this market area.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Chief Appraiser, Valuation Branch, Technical Support Division, Office of Insured Multifamily Housing Development, 451 Seventh Street, SW., Washington, DC 20410-0500. Telephone (202) 708-0624. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Background

Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) authorizes a system of housing assistance payments to aid lower income families in renting decent, safe, and sanitary housing. These programs, known collectively as the section 8 Housing Assistance Payments Program, provide assistance payments for lower income families for a variety of housing options, including new construction and substantial rehabilitation.

Under these programs, HUD or public housing agencies (PHAs) make rental assistance payments on behalf of eligible families to owners. When families lease an eligible unit, the housing assistance payment is made and is based upon the difference between the total housing expense and the total family contribution. Initial contract rents, plus an allowance for utilities generally may not exceed area-wide FMRs established by the Department. FMRs are based primarily on the level of rentals paid for recently completed or newly constructed dwelling units of modest design within each market area as determined by HUD Field Office staff.

The FY 1988 FMRs were previously promulgated by the Department on December 1, 1989, at 54 FR 49886. These rents reflected the Department's cost containment efforts in relation to housing assistance provided in the section 8 New Construction and Substantial Rehabilitation Programs.

This Document

This document announces a special revision to the FY 1988 FMR schedule applicable to the Rome, Georgia market area. The Atlanta Regional Office requested that the Department establish new rents for the Rome, Georgia market area. The FMRs set forth below reflect data submitted by the Atlanta Regional Office.

Where sufficient market rental comparables do not exist, HUD procedures permit the use of an interpolation technique to arrive at indicated FMRs. Although the use of interpolation and adjustments to establish rents are sound principles and techniques, the best data for market rents is that from recently constructed projects, as it would necessarily reflect current conditions in the marketplace with respect to financing, vacancy rates, etc., and would provide a degree of assurance that rents so derived should be adequate to support new projects, all factors being equal. Careful analysis and reanalysis of the FY 1988 FMRs for

this market area indicate that the rents resulting from the application of the aforementioned techniques, when modified to reflect the Department's cost containment policies, are not adequate, even when it is clear that there has been compliance with the Department's cost containment guidelines with respect to project design. Therefore, an upward adjustment of the FY 1988 FMRs for this market area is needed.

The Department published on July 13, 1990, at 55 FR 28778, a notice proposing the FMRs listed below. The public was given a 30-day comment period, and no comments were received. Accordingly, the FMRs proposed on July 13, 1990, are established as set forth below. The applicability of this schedule is the same as set forth in the preamble to the original 1988 FMR schedule, published on December 1, 1989, at 54 FR 49886.

Other Information

HUD regulations at 24 CFR part 50, implementing section 102(2)(c) of the National Environmental Policy Act of 1969, contain categorical exclusions from their requirements for the actions, activities and programs specified in § 50.20. Since the FMRs established in this Notice are within the exclusion set forth in § 50.20(l), no environmental assessment is required, and no environmental finding has been prepared.

The Catalog of Federal Domestic Assistance Program number and title for the activities covered by this Notice are 14.156, Lower Income Housing Assistance Program (section 8).

Accordingly, the following amendments to the FY 1988 FMR schedule are established for the Rome, Georgia market area.

SCHEDULE A—FAIR MARKET RENTS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION (INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES' PROGRAMS)

[Region 4—Atlanta Regional Office, Market: Rome, Georgia; Special Revision of FY 1988 Fair Market Rents]

Structure Type	Number of Bedrooms				
	0	1	2	3	4
Detached.....			460	536	577
Semi-Detached/Row.....	319	346	399	474	530
Walk-up.....	307	333	394	461	516
Elevator 2-4 Story.....	368	395	462		
Elevator 5+ Story.....	420	448	517		

Dated: September 14, 1990.
Arthur J. Hill,

Acting Assistant, Secretary for Housing-
Federal Housing Commissioner.

[FR Doc. 90-22482 Filed 9-21-90; 8:45 am]
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24 CFR Part 888

[Docket No. N-90-3098; FR-2841-N-02]

Section 8 Housing Assistance Payments Program; Fair Market Rents for New Construction and Substantial Rehabilitation—St. Croix, Virgin Island Market Area—Fiscal Year 1988

AGENCY: Office of the Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Final notice.

SUMMARY: Section 8(c)(1) of the United States Housing Act of 1937 requires the Secretary to establish Fair Market Rents (FMRs) periodically, but not less frequently than annually. This document establishes new FMRs for the St. Croix, Virgin Islands market area for Fiscal Year 1988 (FY 1988).

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Chief Appraiser, Valuation Branch, Technical Support Division, Office of Insured Multifamily Housing Development, 451 Seventh Street, SW., Washington, DC 20410-0500. Telephone (202) 708-0624. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Background

Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) authorizes a system of housing assistance payments to aid lower income families in renting decent, safe, and sanitary housing. These programs, known collectively as the section 8 Housing Assistance Payments Program, provide assistance payments for lower income families for a variety of housing options, including new construction and substantial rehabilitation.

Under these programs, HUD or public housing agencies (PHAs) make rental assistance payments on behalf of eligible families to owners. When families lease an eligible unit, the housing assistance payment is made and is based upon the difference between the total housing expense and the total family contribution. Initial contract rents, plus an allowance for utilities

generally may not exceed area-wide FMRs established by the Department. FMRs are based primarily on the level of rentals paid for recently completed or newly constructed dwelling units of modest design within each market area as determined by HUD Field Office staff.

The FY 1988 FMRs were previously promulgated by the Department on December 1, 1989, at 54 FR 49886. These rents reflected the Department's cost containment efforts in relation to housing assistance provided in the section 8 New Construction and Substantial Rehabilitation Programs.

This Document

This document announces a special revision to the FY 1988 FMR schedule applicable to the St. Croix, Virgin Island market area. The Caribbean Office requested that the Department establish new rents for the St. Croix, Virgin Islands market area. The FMRs set forth below reflect data submitted by the Caribbean Office.

Where sufficient market rental comparables do not exist, HUD procedures permit the use of an interpolation technique to arrive at indicated FMRs. Although the use of interpolation and adjustments to establish rents are sound principles and techniques, the best data for market rents is that from recently constructed projects, as it would necessarily reflect current conditions in the marketplace with respect to financing, vacancy rates, etc., and would provide a degree of assurance that rents so derived should be adequate to support new projects, all factors being equal. Careful analysis of the request from the Caribbean Office indicates that the FY 1988 FMRs for this market area are not adequate, since the FY 1988 FMRs for that market area did not have published FMRs for the two-to-four story elevator category.

Accordingly, FMRs for the two-to-four story elevator category are added to the schedule applicable to the St. Croix, Virgin Islands market area. The applicability of this schedule is the same as set forth in the preamble to the original 1988 FMR schedule, published on December 1, 1989, at 54 FR 49886.

The Department published on July 11, 1990, at 55 FR 28413, a notice proposing the FMRs listed below. The public was given a 30-day comment period, and no comments were received. Accordingly, the FMRs proposed on July 11, 1990, are established as set forth below.

Other Information

HUD regulations at 24 CFR 50, implementing section 102(2)(c) of the

National Environmental Policy Act of 1969, contain categorical exclusions from their requirements for the actions, activities and programs specified in § 50.20. Since the FMRs established in this Notice are within the exclusion set forth in § 50.20(1), no environmental assessment is required, and no environmental finding has been prepared.

The Catalog of Federal Domestic Assistance Program number and title for the activities covered by this Notice are 14.156, Lower Income Housing Assistance Program (section 8).

Accordingly, the following amendments to the FY 1988 FMR schedule are established for the St. Croix, Virgin Islands market area.

SCHEDULE A—FAIR MARKET RENTS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION (INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES' PROGRAMS)

(Region 4—Atlanta Regional Office, Market: St. Croix, Virgin Islands; Special Revision of FY 1988 Fair Market Rents)

Structure Type	Number of Bedrooms				
	0	1	2	3	4
Detached.....			653	737	849
Semi-Detached/Row.....	432	504	592	684	779
Walk-up.....	367	432	525	591	596
Elevator 2-4 Story.....	486	566	666		

Dated: September 14, 1990.

Arthur J. Hill,

Acting Assistant, Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 90-22483 Filed 9-21-90; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

Indiana Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendment.

SUMMARY: OSM is announcing the approval, with one exception, of a proposed amendment to the Indiana regulatory program (hereinafter referred to as the Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment consists of proposed changes to the Indiana program pursuant to Indiana

Senate Enrolled Act No. 513 which was enacted by the 1989 session of the Indiana General Assembly. The proposed amendments concern the powers and duties of the director, bond pool fund, and cessation orders, and are intended to clarify and improve the Indiana program.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Mr. Richard D. Rieke, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, Indiana 46204; Telephone (317) 226-6166.

SUPPLEMENTARY INFORMATION:

- I. Background on the Indiana Program.
- II. Submission of Amendment.
- III. Director's Findings.
- IV. Summary and Disposition of Comments.
- V. Director's Decision.
- VI. Procedural Determinations.

I. Background on the Indiana Program

The Secretary of the Interior conditionally approved the Indiana program effective July 29, 1982. Information pertinent to the general background on the Indiana program, including the Secretary's findings, the disposition of comments, and a detailed explanation of conditions of approval of the Indiana program can be found in the July 26, 1982 Federal Register (47 FR 32071). Subsequent actions concerning the conditions of approval and proposed amendments are identified at 30 CFR 914.10, 914.15 and 914.16.

II. Submission of Amendment

By letter dated December 4, 1989, (Administrative Record No. IND-0721), the Indiana Department of Natural Resources (IDNR) submitted a proposed amendment to the Indiana program at Indiana Code (IC) 13-4-6 and IC 13-4.1-2, IC-13-4.1-6.5 and IC-13-4.1-11. The proposed amendment is contained in Indiana's 1989 Senate Enrolled Act 513 which was promulgated by the State on June 11, 1989. The IC 13-4 is limited to surface mining other than surface coal mining; therefore, the changes to IC 13-4 do not affect the approved Indiana program and will not be discussed here.

OSM announced receipt of the proposed amendments in the January 31, 1990, Federal Register (55 FR 3233), and, in the same notice, opened the public comment period and provided opportunity for a public hearing on the adequacy of the proposed amendments. The comment period closed on March 2, 1990. No hearing was held because no one requested an opportunity to provide testimony.

By letter dated August 9, 1990 (Administrative Record Number IND-0794), Indiana informed OSM that Indiana Senate Enrolled Act No. 362, which was passed during the 1990 legislative session, created the Bureau of Mine Reclamation within the Department of Natural Resources. The Division of Reclamation has been placed in the new Bureau, but an advisory council for the new Bureau was not created. Therefore, Indiana withdrew the proposed amendments at IC 13-4.1-2-3 concerning the Bureau of Water and Minerals Advisory Council.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal regulations at 30 CFR 732.17, are the Director's findings concerning the proposed amendment. Only those revisions of particular interest are discussed below. Any revisions not specifically discussed below are found to be no less stringent than SMCRA and no less effective than the Federal regulations. Revisions which are not discussed below concern nonsubstantive wording changes or revise paragraph notations to reflect organizational changes resulting from this amendment.

1. IC 13-4.1-2-2 Powers and Duties of the Director

Indiana is revising paragraph (a)(3) of this provision to require the director of IDNR to order any person who does not hold a valid permit to reclaim the area effected to the standards required by article IC 13-4.1. The existing language which is being amended only required the director of IDNR to order any person who does not hold a valid permit to cease operations.

The approved Indiana program at IC 13-4.1-1-7 states that a person who engages in surface coal mining operations and is not a permittee is subject to the criminal, civil, and regulatory provisions of IC 13-4.1 as if the person were a permittee. The proposed amendment, therefore, provides the Director of IDNR with the necessary authority consistent with the requirement at IC 13-4.1-1-7 to require reclamation by persons conducting surface coal mining operations without a valid permit.

SMCRA at section 506(a) prohibits surface coal mining operations without a valid permit. The Federal regulations at 30 CFR 701.11(d) state that the requirements of subchapter K concerning the permanent program performance standards shall apply to each surface coal mining and reclamation operation for which the

surface coal mining operation is required to obtain a permit under SMCRA. That is, any person who conducts surface coal mining operations under SMCRA, even if they are operating without a valid permit, are subject to the coal mining and reclamation requirements of the Federal regulations. The Director finds, therefore, that the proposed provision is consistent with SMCRA and the Federal regulations at 30 CFR 701.11(d).

2. IC 13-4.1-6.5-5 Bond Pool Fund

This section is proposed to be amended by the addition of subsection (e) which states that the bond pool entrance fee required under subsection (a) is refundable if the application is rejected. In addition, subsection (d) would be amended to add a reference to new subsection (e) as an exception to the provision at (d) which states that all fees and payments under chapter IC 13-4.1-6.5 are not refundable.

On March 18, 1988 (Administrative Record No. IND-0559), Indiana submitted to OSM proposed amendments to the Indiana program which would create the Indiana bond pool fund. OSM is in the process of conducting a thorough review of the proposed bond pool fund and has had numerous communications with Indiana concerning the proposed bond pool fund. Therefore, the Director is deferring any action on these proposed rules and will include a decision on these rules in the decision on the proposed bond pool fund, when completed.

Section 503 of SMCRA provides that a State may not exercise jurisdiction under SMCRA unless the State program is approved by the Secretary. Similarly, 30 CFR 732.17(a) requires that any alteration of an approved State program be submitted to OSM for review as a program amendment. Thus, any changes to the State program are not enforceable until approved by OSM. The Federal regulations at 30 CFR 732.17(g) prohibit any unilateral changes to approved State programs. In his oversight of the Indiana program, the Director will recognize only the statutes, regulations and other materials approved by him, together with any consistent implementing policies, directives and other materials, and will require the enforcement by Indiana of only such provisions. Therefore, since the proposed bond pool fund at IC 13-4.1-6.5 is not approved by OSM and the bond pool fund is not a part of the approved Indiana program, the Director cannot approve the proposed amendments to IC 13-4.1-6.5-5.

3. IC 13-4.1-11-5 Cessation Orders

Subsection (d) is added and states that a cessation order issued under subsection (a) of IC 13-4.1-11-5 is effective when served upon the permittee. The Director finds that the proposed revision is in accordance with SMCRA at section 521(a)(2) and no less effective than the Federal regulations at 30 CFR 843.11(a)(1) and 843.14(a) concerning the issuance of cessation orders.

IV. Summary and Disposition of Comments

Public Comments

The public comment period and opportunity to request a public hearing announced in the January 31, 1990, *Federal Register* ended on March 2, 1990. No public comments were received and the scheduled public hearing was not held as no one requested an opportunity to provide testimony.

Agency Comments

Pursuant to section 503(b) of SMCRA and the implementing regulations at 30 CFR 732.17(h)(11)(i), comments were also solicited from various Federal agencies with an actual or potential interest in the Indiana program. The Environmental Protection Agency (EPA) and the Fish and Wildlife Service responded with comments pertaining to IC 13-4. As stated above in the section titled "SUBMISSION OF AMENDMENT," the IC 13-4 is limited to surface mining other than surface coal mining, and the changes to IC 13-4 do not affect the approved Indiana surface coal mining program. Therefore, the comments submitted will not be addressed here.

The EPA also stated that, with regard to the Clean Water Act, their review indicated that the proposed revisions demonstrate the legal authority, administrative capability, and technical conformity with controlling Federal National Pollutant Discharge Elimination System (NPDES) regulations necessary to maintain water quality standards promulgated under the authority of the Clean Water Act as amended (33 U.S.C. 1251 *et seq.*).

V. Director's Decision

Based on the above finding, the Director is approving the Indiana program amendment as submitted by Indiana on December 4, 1989, and as amended on August 9, 1990, except as noted below. As discussed in Finding 2 above, the Director is deferring action on the proposed amendment to IC 13-4.1-6.5-5 concerning the proposed bond pool.

The Federal regulations at 30 CFR part 914 codifying decisions concerning the Indiana program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage states to bring their programs in conformity with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

Effect of Director's Decision

Section 503 of SMCRA provides that a State may not exercise jurisdiction under SMCRA unless the State program is approved by the Secretary. Similarly, 30 CFR 732.17(a) requires that any alteration of an approved State program be submitted to OSM for review as a program amendment. Thus, any changes to the State program are not enforceable until approved by OSM. The Federal regulations at 30 CFR 732.17(g) prohibit any unilateral changes to approved State programs. In his oversight of the Ohio program, the Director will recognize only the statutes, regulations and other materials approved by him, together with any consistent implementing policies, directives and other materials, and will require the enforcement by Indiana of only such provisions.

EPA Concurrence

Under 30 CFR 732.17(h)(11)(ii), the Director is required to obtain the written concurrence of the Administrator of the Environmental Protection Agency (EPA) with respect to any provisions of a State program amendment which relate to air or water quality standards promulgated under the authority of the Clean Water Act (33 U.S.C. 1251 *et seq.*) or the Clean Air Act (42 U.S.C. 7401 *et seq.*). The Director has determined that this amendment contains no such provision and that EPA concurrence is, therefore, unnecessary.

VI. Procedural Determinations

National Environmental Policy Act

The Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

Executive Order No. 12291 and the Regulatory Flexibility Act

On July 12, 1984, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is

exempt from preparation of a regulatory impact analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule will not impose any new requirements; rather, it will ensure that existing requirements established by SMCRA and the Federal rules will be met by the State.

Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 914

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 14, 1990.

Carl C. Close,

Assistant Director, Eastern Field Operations.

For the reasons set out in the preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 914—INDIANA

1. The authority citation for part 914 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In § 914.15, paragraph (bb) is added to read as follows:

§ 914.15 Approval of regulatory program amendments.

(bb) The following amendment to the Indiana regulatory program, as submitted to OSM on December 4, 1989, and amended on August 9, 1990, is approved, except for IC 13-4.1-6.5-5 concerning the Indiana bond pool, effective September 24, 1990. Amendment to the Indiana Code at IC 13-4.1-2-2 concerning powers and duties of the director and IC 13-4.1-11-5 concerning cessation orders.

[FR Doc. 90-22473 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-05-M

30 CFR Part 935

Ohio Regulatory Program; Remining

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Final rule; approval of amendments.

SUMMARY: OSM is announcing the approval of a proposed amendment to the Ohio regulatory program (hereinafter referred to as the Ohio program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendment (Program Amendment Number 37 Revised) incorporates statute and rule changes initiated by the State which are intended to incorporate the additional flexibility afforded by the revised Federal statutes. The amendment will allow the Chief of the Ohio Department of Natural Resources, Division of Reclamation (the Chief) to approve alternate effluent limitations for the remining of previously mined areas with pollutional discharges. The amendment also establishes special requirements for permit applications, special performance standards, and bond release criteria and procedures where such alternate effluent limits apply.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT:

Ms. Nina Rose Hatfield, Director, Columbus Field Office, Office of Surface Mining Reclamation and Enforcement, 2242 South Hamilton Road, room 202, Columbus, Ohio 43232; Telephone: (614) 866-0578.

SUPPLEMENTARY INFORMATION:

- I. Background on the Ohio Program.
- II. Submission of Amendment.
- III. Director's Findings.
- IV. Summary and Disposition of Comments.
- V. Director's Decision.
- VI. Procedural Determinations.

I. Background on the Ohio Program

On August 16, 1982, the Secretary of the Interior conditionally approved the Ohio program. Information on the general background of the Ohio program submission, including the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the Ohio program, can be found in the August 10, 1982 *Federal Register* (47 FR 34688). Subsequent actions concerning the conditions of approval and program amendments are identified at 30 CFR 935.11, 935.12, 935.15, and 935.16.

II. Submission of Amendment

By letter dated January 20, 1989 (Administrative Record No. OH-1131), the Ohio Department of Natural Resources, Division of Reclamation (Ohio) submitted proposed Program Amendment No. 37 to the Ohio program. The proposed amendments were initiated by Ohio to take advantage of the increased flexibility afforded to the Ohio Environmental Protection Agency (OEPA) under the amended Clean

Water Act. Ohio's proposed amendments were intended to create incentives for mine operators to enter, mine, and reclaim areas that were previously affected by mining and which, as a result, have continuing water pollution.

On February 7, 1989, OSM published a notice in the *Federal Register* (54 FR 5940) announcing receipt of proposed Program Amendment No. 37 and inviting public comment on its adequacy. The public comment period ended on March 9, 1989. The public hearing scheduled for March 6, 1989 was not held because no one requested an opportunity to testify.

By letter dated July 26, 1989 (Administrative Record No. OH-1203), OSM requested additional information from Ohio concerning several aspects of the proposed amendment.

By letter dated August 16, 1989 (Administrative Record No. OH-1201) Ohio submitted responses to OSM's questions about proposed Program Amendment No. 37. With its responses, Ohio submitted Revised Program Amendment No. 37 (37R) incorporating changes resulting from OSM's questions and from revisions to chapter 1513 of the Ohio Revised Code (ORC) enacted through House Bill No. 399 of the Ohio General Assembly.

On September 12, 1989, OSM published a notice in the *Federal Register* (54 FR 37692) announcing receipt of proposed Program Amendment No. 37R and inviting public comment on its adequacy. The public comment period ended on October 12, 1989. The public hearing scheduled for October 10, 1989, was not held because no one requested an opportunity to testify.

Following a review of the Revised Proposed Amendment No. 37R, OSM informed Ohio by a letter dated March 27, 1990 (Administrative Record No. OH-1294) of proposed amendment provisions that needed to be corrected or clarified. Ohio responded by letter dated May 8, 1990, and submitted revisions to the proposed rules to address OSM's comments (Administrative Record No. OH-1307). OSM reopened the public comment period on June 5, 1990, (55 FR 22929). The public comment period ended on July 5, 1990. The public hearing scheduled for July 2, 1990, was not held because no one requested an opportunity to testify.

The proposed amendments include the addition of Ohio Administrative Code (OAC) 1501:13-4-15, authorization to conduct coal mining on previously mined areas; revisions to Ohio Revised Code (ORC) 1513.07 permits; and

revisions to ORC 1513.16 reclamation standards.

III. Director's Findings

Set forth below, pursuant to SMCRA and the Federal Regulations at 30 CFR 732.15 and 732.17, are the Director's findings concerning the proposed amendment to the Ohio program. Revisions not specifically discussed below concern wording changes which are found to be no less stringent than SMCRA and no less effective than the Federal regulations.

1. Permitting Requirements and Performance Standards

The proposed amendments to ORC 1513.07(B)(2)(s) authorize, and the addition of section OAC 1501:13-4-15 to the regulations establish certain requirements to be met by persons seeking approval of alternate effluent limitations on areas to be covered by the permit that were affected by coal mining operations before August 3, 1977, and that have resulted in continuing water pollution from or on the previously mined areas. As specified in paragraph OAC 1501:13-4-15(A)(2) of the proposed rules, these requirements are in addition to, not in place of, the permitting requirements applicable to all proposed surface coal mining operations under ORC chapter 1513, and OAC 1501:13 unless otherwise specifically provided in the proposed rules. To obtain an authorization for alternate effluent limitations, the applicant must delineate on a map the pollution abatement area within the permit area, prepare an abatement plan for preexisting discharges from this area, and submit monitoring data to document the baseline pollutional load under variations of season and precipitation.

Pursuant to ORC 1513.07(E)(7) (a) through (e), to approve an application for alternate effluent limitations, the Chief must find, based on an affirmative demonstration by the applicant, that the proposed abatement plan represents best available technology economically achievable (defined as measures and practices designed to abate or ameliorate possible pollutional discharges to the maximum extent possible), that the operation will not cause additional surface or groundwater pollution or degradation, and that the remining operation has the potential to improve water quality. Section OAC 1501:13-4-15(A)(1) limits the applicability of the alternate effluent limitations to surface coal mining operations proposing to remine previously mined areas which contain pollutional discharges at the time of application. Ohio has defined such a

"preexisting discharge" at proposed OAC 1501:13-4-15(B) to mean a discharge from surface or subsurface waters which is located on lands disturbed or affected by earlier coal mining operations that were not reclaimed in accordance with the requirements of ORC chapter 1513, as effective August 3, 1977 and thereafter. Remining authorizations, therefore, can only be obtained for areas which were mined prior to August 3, 1977, and which were not reclaimed in accordance with ORC chapter 1513.

Section OAC 1501:13-4-15 (B) also defines the terms "abatement plan," "base line pollution load," "best available technology economically achievable," "pollution abatement area," and "remining NPDES permit," as used in these amendments. In addition, OAC 1501:13-4-15 (E)(3) prohibits issuance of a remining authorization unless there are one or more preexisting discharges from or on the pollution abatement area, and OAC 1501:13-4-15(E)(4) restricts the authorization for alternate effluent limits to apply only to the pollution abatement area and not to other areas of the permit.

Proposed sections ORC 1513.07(E)(7)(f) and OAC 1501:13-4-15(E)(1) add specific requirements prohibiting the Chief from granting a remining authorization unless the applicant affirmatively demonstrates that neither the applicant nor any person who owns or controls the applicant has: Any continuing liability for treating the discharges of water pollutants from or on the pollution abatement area, or reclaiming the pollution abatement area; had a permit suspended or revoked based on a determination of a demonstrated pattern of willful violations with respect to water quality, effluent limitations, or surface- and ground-water monitoring; or has ever forfeited a coal or surface mining bond or security deposited in lieu of bond.

Proposed new section 1501:13-4-15(F) establishes additional performance standards to be met by operations with approved alternate effluent limitations. Section (F) requires the permittee to implement the abatement and monitoring plans approved under section (E). Section (F) also requires the permittee to notify the Chief immediately prior to the completion of each step of the abatement plan and to provide a certification by the supervising professional engineer of the proper construction of certain steps of the abatement plan which may include, but not be limited to, the completion of

mine seals, compaction tests, subsurface drains and, where necessary, stability analyses.

Section OAC 1501:13-4-15(G) establishes requirements for the treatment of preexisting discharges and for monitoring those discharges in accordance with the approved abatement plan. It also establishes procedures and conditions under which the Division may approve discontinuance of treatment when the untreated discharge is meeting the alternate effluent limitations specified in the Ohio National Pollutant Discharge Elimination System (NPDES) permit required under section OAC 1501:13-4-15(E).

SMCRA and its implementing Federal regulations do not differentiate between remining operations and other surface mining operations with respect to effluent limitations. Ohio is still requiring remining operations to meet the approved permitting and performance standards at OAC 1501:13 and in addition, to meet the standards in their proposed remining rules at OAC 1501:13-4-15. While SMCRA and the implementing Federal regulations do not have specific requirements concerning remining operations, the Federal performance standards at 30 CFR 816.42 and 817.42 do require that discharges of water from areas disturbed by surface or underground mining activities be made in compliance with all applicable State and Federal water quality laws and regulations and with the NPDES effluent limitations for coal mining as promulgated by EPA at 40 CFR part 434. The EPA rules also contain no distinction between mining and remining.

However, as enacted on February 4, 1987, Public Law 100-4 added section 301(p) of the Federal Water Pollution Control Act (FWPCA) to authorize the issuance of NPDES permits with modified effluent limitations for pH, iron and manganese on previously mined sites with preexisting discharges, defined as those discharges in existence at the time of permit application. The applicant must demonstrate that the remining operation has the potential of improving the quality of the preexisting discharges. Any modified effluent limitations would apply only to discharges from remined areas on which coal mining was conducted before the effective date of SMCRA (August 3, 1977) and which were not reclaimed in accordance with the requirements of chapter 1513. No NPDES permit may allow discharges of pollutants in excess of those being discharged prior to the remining operation. In addition, no

discharge from or affected by the remined area may exceed State water quality standards.

As described and discussed above, the Ohio amendment as submitted on January 20, 1989, and modified on August 16, 1989, and May 8, 1990, incorporates the provisions and restrictions of section 301(p) of the FWPCA. The proposed statutory amendment at ORC 1513.07(B)(2)(s) and the proposed definition of "base line pollution load" at OAC 1501:13-4-15(B)(2) specifically limit the characterization of the material being discharged from or on the pollution abatement area, and for which the remining authorization applies, to the mass loadings of only pH, iron, and manganese. In addition, the proposed rule at OAC 1501:13-4-15(E)(5) states that no remining authorization may be granted until a remining NPDES permit has been issued by the Ohio Environmental Protection Agency and a copy of the remining NPDES permit has been provided to the chief. Since the amended Federal provisions at section 301(p) of the FWPCA limit effluent limitation modifications to pH, iron, and manganese, the proposed Ohio modifications of effluent limitations are consistent with those of the FWPCA.

By letters dated October 12, 1989, and July 6, 1990 (Administrative Record Numbers OH-1231 and OH-1336 respectively), EPA concurred with the revised Ohio amendments. Therefore, for the reasons discussed above, and since EPA is primarily responsible for establishing effluent limitations, the Director finds Ohio proposed revisions to its statute at sections ORC 1513.07(B)(2)(s) and (E)(7) and additions to its regulations at sections OAC 1501:13-4-15(A) through (G), to be no less effective than the Federal regulations concerning effluent limitations for coal mining at 30 CFR 816.42 and 817.42.

2. Bond Release Requirements

Amended sections ORC 1513.16(F)(3) (a) through (c) and proposed additional provisions in the Ohio Revised Code at ORC 1513.16(F)(3) (a) through (c) require compliance with the approved pollution abatement plan and all additional requirements established in rules governing coal mining and reclamation operations on pollution abatement areas.

Proposed new sections OAC 1501:13-4-15(H) and 1501:13-4-15(I) establish criteria and schedules for the release of performance bonds on areas subject to the alternate effluent limitations authorized in accordance with proposed sections OAC 1501:13-4-15(A) and 1501-

13-4-15(G). New section OAC 1501:13-4-15(H) requires compliance with new section 1501:13-4-15(I) for release of bonds for pollution abatement areas authorized by this rule, and states that paragraph (B) of rule 1501:13-7-05 of the Administrative Code shall not apply to such release of bonds.

OAC 1501:13-4-15(I)(1):

To achieve Phase I bond release of up to 50 percent of the amount of bond for the authorized pollution abatement area, the operator must have satisfactorily completed backfilling, regrading, and drainage control in accordance with the approved reclamation plan and each pertinent step of the approved abatement plan.

OAC 1501:13-4-15(I)(2):

To achieve Phase II bond release of an amount not to exceed 35 percent of the amount of bond for the authorized pollution abatement area, the operator must have replaced the topsoil or material conserved pursuant to rule OAC 1501:13-9-03, completed planting and established revegetation in accordance with the approved reclamation plan, and achieved the standards of success for such revegetation as set forth in OAC 1501:13-9-15(F)(3)(b). The operator must not be causing or contributing to any surface water pollution or ground water degradation by re-affecting or mining the pollution abatement area. For a period of 12 months after discontinuance of treatment pursuant to new section (AC 1501:13-4-15(G)(5), the operator must not have exceeded the effluent limitations established in the remining NPDES permit as shown by all ground- and surface-water monitoring. In addition, the operator must have implemented all pertinent steps in the approved abatement plan.

OAC 1501:13-4-15(I)(3):

To achieve final bond release, the operator must have successfully completed all of the approved abatement plan and the reclamation plan, and the pollution abatement area must be capable of supporting the post-mining land use approved under OAC 1501:13-9-17. The operator must also have complied with all of the requirements of the permit and the authorization, chapter 1513 of the Revised Code and section 1501:13 of the Ohio Administrative Code unless specifically provided in new section OAC 1501:13-4-15. In addition, the operator must not have exceeded the effluent limitations established in the remining NPDES permit from the time of bond release pursuant to new paragraph

OAC 1501:13-4-15(I)(2) for a period of two years from the discontinuance of treatment pursuant to new paragraph OAC 1501:13-4-15(G)(5), and the applicable liability period under OAC 1501:13-9-15(F)(5) has expired.

SMCRA and its implementing regulations do not differentiate between remining operations and other surface coal mining operations with respect to effluent limitations. At ORC 1513.16(F)(3) and OAC 1501:13-4-15(I), Ohio is proposing additional bond release criteria for the pollution abatement areas of remining operations. Since these criteria are in addition to, not in place of, the existing bond release criteria in ORC 1513.16(F)(3), and since they do not in any way negate or alter the existing criteria, the Director finds that the proposed revisions to ORC 1513.16(F)(3) and the addition of OAC 1501:13-4-15(I) will not render the State program inconsistent with the corresponding Federal bond release criteria set forth in section 519(c) of SMCRA and 30 CFR 800.40(c). (The State's existing bond release criteria in ORC 1513.16(F)(3) are substantively identical to those of SMCRA and the Federal regulations.)

However, proposed OAC 1501:13-4-15(H) states in part that OAC 1501:13-7-05(B), which repeats and expands the statutory bond release criteria of ORC 1513.16(F)(3), does not apply to bond releases for pollution abatement areas. Unlike OAC 1501:13-7-05(B), proposed OAC 1501:13-4-15(I), the bond release criteria for pollution abatement areas, does not repeat the statutory criteria. To be no less stringent than section 519(c) of SMCRA and no less effective than the Federal regulations at 30 CFR 800.40(c), the statutory requirements of ORC 1513.16(F)(3) must be met in addition to those specified in the State rules at OAC 1501:13-4-15(I). The Director recognizes that statutory provisions do not lose their effect merely because they are not repeated in regulations. The Director finds, therefore, that the Ohio amendment is not inconsistent with the Federal bond release requirements at 30 CFR 800.40 and is, therefore, approving this amendment.

IV. EPA Concurrence

Sections 503(b)(2) of SMCRA and 30 CFR 732.17(h)(11)(ii) require that the Administrator of the EPA concur with all State program provisions relating to water quality standards promulgated under the authority of the Clean Water Act, as amended (33 U.S.C. 1251 *et seq.*). Since the proposed amendment would alter effluent limitations established pursuant to the Clean Water Act (also

known as the Federal Water Pollution Control Act) and its implementing regulations, EPA's concurrence is required before the Director may approve this amendment.

The Director solicited EPA's concurrence with the proposed amendments by letter dated January 26, 1989. By letter dated April 3, 1989 (Administrative Record Number OH-1185), EPA provided concurrence with the understanding that the proposed modifications will be implemented to fully comply with all applicable Clean Water Act requirements. On August 24, 1989, the Director solicited EPA's concurrence on revised amendment Number 37R which was submitted by Ohio by letter dated August 16, 1989. By letter dated October 12, 1989 (Administrative Record Number OH-1231), EPA had no comments on the proposed amendments addressing program authority and the criteria and standards applicable to coal remining operations. EPA also concluded that the proposed amendments to Ohio's program demonstrate the legal authority, administrative capability, and technical conformity with controlling NPDES regulations necessary to maintain water quality standards promulgated under the authority of the Clean Water Act, as amended (33 U.S.C. 1251 *et seq.*). On May 24, 1990, the Director solicited EPA's concurrence on revisions to revised amendment Number 37R which were submitted by Ohio by letter dated May 8, 1990. By letter dated July 6, 1990, EPA concurred with the proposed amendments. A discussion of EPA's comments and the Director's response can be found in the section of this notice entitled "Public and Agency Comments."

V. Summary and Disposition of Comments

Public Comments

The public comment period and opportunity to request a public hearing announced in the February 7, 1989 Federal Register ended on March 9, 1989. No public comments were received and the scheduled public hearing was not held as no one requested an opportunity to provide testimony.

The public comment period was subsequently reopened and announced in the September 12, 1989 and again in the June 5, 1990 Federal Register. The comment periods ended on October 12, 1989 and July 5, 1990, respectively. No public comments were received and the scheduled public hearings were not held as no one requested an opportunity to provide testimony.

Agency Comments

Pursuant to section 503(b) of SMCRA and the implementing requirements at 30 CFR 732.17(h)(ii)(i), comments were solicited from various Federal agencies with an actual or potential interest in the Ohio program. In response to the January 20, 1989, submittal of proposed amendment Number 37, the U.S. Environmental Protection Agency (EPA) concurred with the proposed amendments provided the proposed modifications will be implemented to fully comply with applicable Clean Water Act requirements. In response, the Director notes that the proposed rule at OAC 1501:13-4-15(E)(5) as amended on August 16, 1989 (Administrative Record Number OH-1201), provides that no authorization may be granted under the proposed rules at OAC 1501:13-4-15 until a remining NPDES permit has been issued by the Ohio Environmental Protection Agency and a copy of the remining NPDES permit has been provided to the Chief. The addition of this provision will assure that all remining authorizations issued under the proposed amendments will comply with the applicable provisions of the Clean Water Act.

The U.S. Department of Labor, Mine Safety and Health Administration (MSHA) (Administrative Record Number OH-1324) stated that the criteria changes for issuing a permit to mine under the proposed regulations is not within their jurisdiction. In addition, MSHA stated that nothing under the proposed amendments should be interpreted or construed as providing relief or exemption from the Mine Safety and Health Act. In response, the Director notes that the proposed rule at OAC 1501:13-4-15(A)(2) states that all of the provisions of chapter 1513. of the Revised Code and the implementing rules at OAC 1501:13 shall apply to operations with authorizations to mine areas with pre-existing pollutional discharges, unless otherwise specifically provided in the proposed remining rules. In addition, there are no such exemptions in the proposed rules. Therefore, authorizations issued under the proposed amendments are also subject to the provisions of the Mine Safety and Health Act.

In response to the August 16, 1989, and the May 8, 1990, submittals, the EPA commented on October 12, 1989, and July 6, 1990 (Administrative Record Numbers OH-1231 and OH-1336 respectively). On both occasions, EPA concurred with the proposed amendment and noted in the July 6, 1990, response that all remining activity must be conducted in accordance with

the Clean Water Act (CWA) and any National Pollutant Discharge Elimination System (NPDES) permit issued by the State.

VI. Director's Decision

Based on the above findings, the Director is approving Program Amendment Number 37 Revised, as submitted by Ohio on January 20, 1989, and revised and resubmitted on August 16, 1989 and May 8, 1990.

The Federal regulations at 30 CFR part 935 codifying decisions concerning the Ohio program are being amended to implement this decision. This final rule is being made effective immediately to expedite the State program amendment process and to encourage states to bring their programs in conformity with the Federal standards without undue delay. Consistency of State and Federal standards is required by SMCRA.

VII. Procedural Determinations

1. Compliance with the National Environmental Policy Act.

The Secretary has determined that pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order 12291 and the Regulatory Flexibility Act.

On July 12, 1984, the Office of Management and Budget (OMB) granted OSM an exemption from sections 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, for this action OSM is exempt from requirement to prepare a Regulatory Impact Analysis, and regulatory review by OMB is not required.

The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules would be met by the State.

3. Paperwork Reduction Act.

This rule does not contain information collection requirements which require approval by OMB under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 935

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 11, 1990.

Carl C. Close,

Assistant Director, Eastern Field Operations.

For the reasons set out in the Preamble, title 30, chapter VII, subchapter T of the Code of Federal Regulations is amended as set forth below:

PART 935—OHIO

1. The Authority Citation for part 935 continues to read as follows:

Authority: 30 U.S.C. 1201 *et seq.*

2. In § 935.15, a new paragraph (rr) is added to read as follows:

§ 935.15 Approval of Regulatory Program Amendments.

(rr) The following amendment to the Ohio permanent regulatory program, as submitted by letter dated January 20, 1989, and revised and resubmitted on August 16, 1989, and May 8, 1990, is approved effective September 24, 1990: Amendment No. 37 Revised, which concerns alternate effluent limitations for the remining of previously mined areas with pollutional discharges, and which consists of revisions to the Ohio Revised Code (ORC) at sections 1513.07 and 1513.16, and the addition of the following rules of chapter 1501 of the Ohio Administrative Code:

- 13-4-15(A) General.
- 13-4-15(B) Definitions.
- 13-4-15(C) Applicability.
- 13-4-15(D) Application for Authorization.
- 13-4-15(E) Approval or Denial by the Chief.
- 13-4-15(F) Performance Standards.
- 13-4-15(G) Treatment of Discharges.
- 13-4-15(H) Request for Bond Release.
- 13-4-15(I) Criteria and Schedule for Release of Bonds on Pollution Abatement Area.

[FR Doc. 90-22474 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900-AD49

Nondiscrimination Against Alcohol and Drug Abusers and Persons Infected With the Human Immunodeficiency Virus

AGENCY: Department of Veterans Affairs.

ACTION: Final regulations.

SUMMARY: The Department of Veterans Affairs (VA) is amending its medical regulations to protect persons infected with the human immunodeficiency virus

against discrimination in admission or treatment by any Department of Veterans Affairs health care facility. This amendment is in response to a change in the law contained in the Veterans' Benefits and Services Act of 1988 (Pub. L. 100-322).

EFFECTIVE DATE: This amendment is effective October 24, 1990.

FOR FURTHER INFORMATION CONTACT:

Paul C. Tryhus, Chief, Policies and Procedures Division (136F), Veterans Health Services and Research Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, (202) 233-2143.

SUPPLEMENTARY INFORMATION: Under the VA's regulations for determining eligibility for hospital, nursing home or domiciliary care (38 U.S.C. 1504(a)(9); Pub. L. 96-466, section 101(a)), "eligible veterans who are alcoholic or drug abusers and who are suffering from medical disabilities shall not be discriminated against in admission or treatment."

This amendment, contained in the Veterans' Benefits and Services Act of 1988 Public Law 100-322, expands the nondiscrimination rule to include persons infected with the human immunodeficiency virus.

VA finds, for good cause, advance publication for notice and public comment is not required. The regulatory amendment merely updates VA regulations consistent with the recent change in law and does not involve any substantive change in VA policy or regulations. Thus, in accordance with the provisions of 38 CFR 1.12, advance publication in the Federal Register is unnecessary. Accordingly, the change in the regulations is now published as final.

These final regulatory amendments do not meet the criteria for a major rule as that term is defined by Executive Order 12291, Federal Regulations. These regulatory amendments will not have a \$100 million annual effect on the economy, will not cause a major increase in costs or prices and will not have any other significant adverse effects on the economy.

The Secretary hereby certifies that these regulations will not have a significant economic impact on the substantial number of small entities as they are defined in the Regulatory Flexibility Act 5 U.S.C. 606-612. Pursuant to 5 U.S.C. 605(b), these regulations are therefore exempt from the regulatory analysis requirements of 5 U.S.C. 603 and 604. The reason for this certification is that these regulations protect the confidentiality of information about veterans with the human

immunodeficiency virus and the changes have no economic implications.

The catalog of Federal Domestic Assistance Numbers are 64.009 and 62.011.

List of Subjects in 38 CFR Part 17

Alcoholism, Claims, Dental health, Drug abuse, Foreign relations, Government contracts, Grants programs—health, Health care, Health facilities, Health professions, Human immunodeficiency virus, Medical devices, Medical research, Mental health programs, Nursing home care, Philippines, Veterans.

Approved: August 9, 1990.

Edward J. Derwinski,

Secretary of Veterans Affairs.

38 CFR Part 17, Medical is amended as follows:

PART 17—[AMENDED]

In § 17.48 paragraph (k) is revised to read as follows:

§ 17.48 Considerations applicable in determining eligibility for hospital, nursing home or domiciliary care.

(k) Veterans eligible for treatment under chapter 17 of 38 U.S.C. who are alcohol or drug abusers or who are infected with the human immunodeficiency virus (HIV) shall not be discriminated against in admission or treatment by any Department of Veterans Affairs health care facility solely because of their alcohol or drug abuse or dependency or because of their viral infection. This does not preclude the rule of clinical judgment in determining appropriate treatment which takes into account the patient's immune status and/or the infectivity of the HIV or other pathogens (such as tuberculosis, cytomegalovirus, cryptosporidiosis, etc.). Hospital Directors are responsible for assuring that admission criteria of all programs in the medical center do not discriminate solely on the basis of alcohol, drug abuse or infection with human immunodeficiency virus. Quality Assurance Programs should include indicators and monitors for nondiscrimination.

Authority: 38 U.S.C. 4133.

[FR Doc. 90-22373 Filed 9-21-90; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[A1-023-FRL-3752-4]

Approval and Promulgation of Implementation Plans; Alabama: Revisions for PM₁₀**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: The Environmental Protection Agency (EPA) is today announcing the approval of revisions to the Alabama State Implementation Plan (SIP) for particulate matter. On July 1, 1987, EPA promulgated new ambient air quality standards for particulate matter which are based upon the measurement of particles having an aerodynamic diameter of 10 microns or less (PM₁₀). Consequently, states are required to develop plans which provide for attainment and maintenance of these new standards. The Alabama statewide SIP revision demonstrates that the existing SIP for total suspended particulates (TSP) is adequate to provide for attainment and maintenance of the PM₁₀ standards.

DATES: This action will become effective on November 24, 1990, unless notice is received within 30 days that someone wishes to submit adverse or critical comments. If the effective date is delayed, timely notice will be published in the Federal Register.

ADDRESSES: Written comments should be addressed to Beverly T. Hudson of EPA Region IV's Air Programs Branch (see EPA Region IV address below). Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations:

Public Information Reference Unit,
Library System Branch,
Environmental Protection Agency, 401
M Street SW., Washington, DC 20460.
EPA Region IV, Air Programs Branch,
345 Courtland Street NE., Atlanta,
Georgia 30365.
Alabama Department of Environmental
Management, 1751 Congressman
William L. Dickinson Drive,
Montgomery, Alabama 36130.

FOR FURTHER INFORMATION CONTACT:
Beverly T. Hudson, Air Programs
Branch, EPA Region IV, at the above
address and telephone number, (404)
347-2864 or FTS 257-2864.

SUPPLEMENTARY INFORMATION: The 1977 amendments to the Clean Air Act require the Environmental Protection Agency (EPA) to review periodically

and, if appropriate, revise the criteria on which each National Ambient Air Quality Standard (NAAQS) is based, along with the standard itself. In response to these requirements, EPA, on July 1, 1987 (52 FR 24634), promulgated revised primary and secondary NAAQS by replacing the total suspended particulate matter standard with a standard that included only those particles with an aerodynamic diameter less than or equal to a nominal 10 micrometers. These particles are referred to as "PM₁₀." The PM₁₀ standard covers a size range of particles different than the range of particles covered by the former particulate standard, total suspended particulate (TSP). This means the states have to develop and implement PM₁₀ control programs. This process will follow the basic approach used in the development and implementation of TSP control programs. First, the air quality across the state is examined and areas where improvement is needed are delineated. Then, the degree of improvement needed is determined. Next, the sources contributing to the problem are inventoried and a strategy is developed to reduce emissions from those sources to bring about attainment of the NAAQS. Finally the strategy is implemented and steps are taken to ensure that the NAAQS will not be violated.

EPA, in conjunction with the states, has completed the first two steps in the development and implementation of control programs. Areas have been categorized into three groups. They are:

Group I—Areas for which the existing particulate matter SIP may need substantial revision to be adequate for attaining and maintaining PM₁₀ standards.

Group II—Areas for which the existing particulate matter SIP may be adequate or need only minor adjustment.

Group III—Areas for which the existing particulate matter SIP's are believed adequate to attain and maintain the PM₁₀ standards.

EPA evaluated the probabilities of PM₁₀ air quality levels predicted from actual TSP data and concluded that Alabama is a Group III area except for two areas, North Birmingham and Leeds, which are Group II areas. The approval for the Group II areas will be processed in a separate notice. However, this notice contains the Group III area (remaining areas in Alabama) which address the PM₁₀ NAAQS in the following ways:

a. To include State ambient air quality standards for PM₁₀ at least as stringent as the NAAQS;

b. To trigger preconstruction review for new or modified sources which

would emit significant amounts of either PM or PM₁₀ emissions;

c. To invoke the emergency episode plan to prevent PM₁₀ concentrations from reaching the significant harm level of 600 µg/m³;

d. To meet ambient PM₁₀ monitoring requirements of 40 CFR Part 58; and

e. To meet the requirements of 40 CFR 51.322 and 51.323 to report actual annual emissions of PM₁₀ (beginning with emissions for 1988) for point sources emitting 100 tons per year or more.

On June 29, 1988, the State of Alabama submitted to EPA revisions to the State Implementation Plan (SIP). Subsequent to the June 29 submittal, by letter of December 20, 1988, EPA noted deficiencies in the revision. As a result of the noted deficiencies, the State's rulemaking process was reinitiated, culminating in a public hearing on July 13, 1989. All of EPA's comments and revisions are reflected in the following regulations which Alabama resubmitted on October 3, 1989. Revisions to Chapter 335-3-4 (Coke Oven Emissions) were also included in the October 3, 1989 submittal. The revisions to Chapter 335-3-4 will be approved in a subsequent notice.

On March 15, 1989, Alabama submitted the Jefferson County Department of Health PM₁₀ revisions for Group II areas to EPA. This submittal will also be processed in a separate notice.

The Alabama Environmental Management Commission adopted, approved, and published a recodification of the rules and regulations of the Air Division Administrative Code rules on May 17, 1989. These rules became effective on June 22, 1989. The recodified Air Division's Administrative Code Rules were then submitted to EPA for approval as a revision to Alabama's State Implementation Plan (SIP). The current codification is used in this notice.

SIP Amendments**I. Definitions—335-3-1-.02(1)**

335-3-1.02(1)(xx)—The definition of "Particulate Matter" reverts to the definition that applied prior to the May 4, 1988 revision. Particulate matter shall mean any finely divided material, except uncombined water, which is a liquid or solid at the conditions of the applicable test methods.

335-3-.02(1)(aaa)—The definition of PM₁₀ was added which means particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers * * * in accordance

with part 53, title 40 Code of Federal Regulations.

335-3-1-.02(1)(bbb)—The definition of PM_{10} emission was amended by replacing the phrase "40 CFR 60, Appendix A" with the phrase "40 CFR".

335-3-1-.02(1)(ddd)—The phrase "Code of Federal Regulations" was inserted in the definition of Priority Classification.

335-3-1-.02(1)(mmm)—The word "total" was inserted in the definition of Soiling Index.

335-3-1-.02(1)(www)—The definition of "Total Suspended particulate" was added which means particulate matter as measured by the method described in Appendix B or part 50, title 40 Code of Federal Regulations.

II. Air Pollution Emergency—335-3-2

Paragraphs 2.2.4 (b) and (c) were deleted and replaced by paragraphs 2.2.4(b) recodified as 335-3-2-.02 (4)(b).

Paragraphs 2.2.4 (d), (e), and (f) became paragraphs 2.2.4 (c), (d), and (e) and recodified by 335-3-2-.02 (4) (c), (d) and (e).

Paragraphs 2.2.5 (b) and (c) were deleted and replaced by paragraph 2.2.5(b) recodified as 335-3-2-.02 (5)(b).

Paragraphs 2.2.5 (d), (e) and (f) became paragraphs 2.2.5 (c), (d), and (e) recodified as 335-3-2-.02(5) (c), (d), and (e).

Paragraphs 2.2.6 (b) and (c) were deleted and replaced by paragraph 2.2.6(b) recodified as 335-3-2-.02(6)(b).

Paragraphs 2.2.6 (d), (e), and (f) became paragraphs 2.2.5 (c), (d), and (e) recodified as 335-3-2-.02 (6), (c), (d), and (e).

III. Permits—335-3-14

Subparagraph 335-3-14-.03(1)(g)(1), included the phrase "or would not" between " * * * does not and meet the NAAQS," in the last sentence.

Paragraph 16.3.1(g) recodified as 16.3.1(g)(1) and then to 335-3-14-.03(1)(g)(1) deleted the phrase "as will allow significant deterioration of existing air quality" at the end of the paragraph and added:

"A new source or modification will be considered to interfere with attaining or maintaining a standard when such source or modification would, at a minimum, exceed the significance levels at any locality that does not or would not meet the NAAQS." The revision also included the averaging time for the pollutants SO_2 , PM_{10} , NO_2 and CO.

Also added were subparagraphs 16.3.1 (g) (2) and (3) recodified as 335-3-14-.03(1)(g) 2 and 3 which follows:

2. A proposed major source or major modification subject to this paragraph may reduce the impact of its emissions upon air quality by obtaining " * * * the significance levels of Subparagraph 16.3.1(g)(1) above. In

the absence of such emission reductions, the Director shall deny the proposed construction.

3. The requirements of Paragraph 16.3.1(g) shall not apply to a major stationary source * * * designated as nonattainment pursuant to section 107 of the Federal Clean Air Act.

Subparagraph 16.3.2(b)(11)(i) recodified as 335-3-14-.03(2)(b)(11)(i) deleted "Particulate matter: 25" and added subparagraph 16.4.2 (w)(1) recodified as 335-3-14-.04(2)(w)(1) to read " PM_{10} * * * 15".

Subparagraph 16.4.2(w)(2) was deleted, however, it is not part of the PM_{10} SIP revision. This section was acted upon in a separate notice.

Paragraph 16.4.3 recodified as 335-3-14-.04(3) replaced the term "Particulate matter" with "total suspended particulates" under the Class I, Class II, and Class III columns.

The following subparagraphs were deleted as a housekeeping measure in this SIP revision, but are not part of the PM_{10} SIP revision:

Subparagraphs 16.4.8(d) (1), (2), (3), (4), and (5) recodified as 335-3-14-.04(8) (1), (2), (3), (4), and (5) respectively.

Subparagraph 16.4.8(h)(1) recodified as 335-3-14-.04(8)(h)(1) included the term " PM_{10} -10ug/m³, 24-hour average". The averaging period for lead was corrected from "24-hour" to "3-month". Air quality impacts for beryllium and hydrogen sulfide were corrected from "0.0005" and "0.04" to "0.001" and "0.2" respectively.

Subparagraph 16.4.8(h)(3) recodified as 335-3-14-.04(8)(h)(3) was added which states "The owner or operator of the stationary source or modification submits an application under * * * the shorter period of data gathering will suffice to meet the requirements of section 16.4.12."

Paragraphs 16.4.8 (i) and (j) were deleted as a housekeeping measure, but not part of the PM_{10} SIP revision.

Paragraph 16.4.8(k) recodified as 335-3-14-.04(8)(k) was added which states "At the discretion of the Director, the requirements for air quality monitoring of PM_{10} * * * in subparagraph 16.4.12 (a) (1) through (4)."

Paragraph 16.4.8(l) recodified as 335-3-14-.04(8)(l) was added which states the "requirements for air quality monitoring of PM_{10} in subparagraph 16.4.12(a) (2) and (4) * * * analysis can be accomplished with monitoring data over a shorter period (not to be less than 4 months), the data that subparagraph 16.4.12(a)(3) requires shall have been gathered over that shorter period." Subparagraphs 16.4.12(a)(5), 16.4, 12(a)(5) (i) and (ii) were deleted as a housekeeping measure but were not part of the PM_{10} revision.

Subparagraphs 16.4.12(a) (7) and (8) recodified as 335-3-14-.04 (12)(a) (7) and (8) were added as follows:

(7) For any application that becomes complete, except as to the requirements of subparagraph 16.4.12(a) (3) and (4) pertaining to PM_{10} , after December 1, 1988 * * * the data that subparagraph 16.4.12(a)(3) requires shall have been gathered over that shorter period.

(8) With respect to any requirements for air quality monitoring of PM_{10} under paragraphs 16.4.8 (k) and (l) * * * such approved monitoring method in accordance with estimating procedures approved by the Director.

Subparagraph 16.4.15(e) recodified as 335-3-14-.04(15) deleted "Particulate matter" and included the phrase "Total suspended particulates."

Paragraph 16.4.19(a) recodified as 335-3-14-.04(19)(a) was replaced by the phrase "under part 16.4 as in effect on July 30, 1987 or any earlier version of this part." This was a housekeeping measure and not part of the PM_{10} SIP revision.

In order to complete Alabama's PM_{10} SIP submittal, the Department of Environmental Management submitted a list of the regulations relied upon to maintain the PM_{10} National Ambient Air Quality Standards along with the corresponding Federal Register approval dates.

Final Action

EPA has reviewed the submitted material and found it to meet the requirements of 40 CFR part 51. Therefore, EPA approves the Alabama PM_{10} revisions. However, the revisions for the Coke Oven Emissions will be dealt with in a forthcoming notice.

This action is being taken without prior proposal because the changes are noncontroversial and EPA anticipates no significant comments on them. The public should be advised that this action will be effective 60 days from date of this Federal Register notice. However, if notice is received within 30 days that someone wishes to submit adverse or critical comments, this action will be withdrawn and two subsequent notices will be published before the effective date. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period.

Under 5 U.S.C. section 605(b), I certify that these revisions will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

This action has been classified as a Table 3 action by the Regional

Administrator under the procedures published in the *Federal Register* on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived Tables 2 and 3 SIP revisions (54 FR 2222) from the requirements of Section 3 of Executive Order 12291 for a period of two years.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 1990. This action may be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical economic and environmental factors and in relation to relevant statutory and regulatory requirements.

List of Subjects in 40 CFR Part 52

Air pollution control, Incorporation by reference, Intergovernmental relations, Particulate matter.

Note: Incorporation by reference of the State Implementation Plan for State of Alabama was approved by the Director of the Federal Register on July 1, 1982.

Dated: February 9, 1990.

Joe R. Franzmathes,
Acting Regional Administrator.

Part 52 of Chapter I, Title 40, Code of Federal Regulation, is amended as follows:

PART 52—[AMENDED]

Subpart B—Alabama

1. The authority citation for part 52 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. Section 52.50 is amended by adding paragraph (c)(52) to read as follows:

§ 52.50 Identification of plan.

(c) * * *

(52) Provisions for PM₁₀ submitted on June 29, 1988 and October 3, 1989, by the Alabama Department of Environmental Management.

(i) Incorporation by reference.

(A) The following revisions submitted on June 29, 1988, to Chapters 1, 2 and 16 were effective June 16, 1988. These Chapters were recodified as Chapters 335-3-1, 335-3-2 and 335-3-14, respectively, effective June 22, 1989.

(1) Definitions—1.2.1 recodified 335-3-1-.02(1) bbb, eee, nnn, and yyy.

(2) Air Pollution Emergency—Chapter 2 recodified as 335-3-2.

(3) Permits—Chapter 16 recodified as 335-3-14, except .03(1)(g)(1).

(B) The following revisions submitted on October 3, 1989, to Chapters 35-3-1 and 335-3-14 were effective September 21, 1989.

(1) Definitions—335-1-.02 (1) (yy) and (ccc).

(2) Permits—335-3-14.

(i) 335-3-14-.03(1)(g)(1).

[FR Doc. 90-19568 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 81

[TN-085; FRL-3833-7]

Designation of Areas for Air Quality Planning Purposes; Tennessee: Redesignation of a Tennessee Carbon Monoxide Nonattainment Area

AGENCY: Environmental Protection Agency.

ACTION: Final rule.

SUMMARY: EPA today is approving the request by the Tennessee Department of Health and Environment that Nashville-Davidson County be redesignated from nonattainment to attainment for carbon monoxide (CO). The redesignation is based on eight quarters of ambient monitoring data that show no violations of the CO standards and on implementation of the EPA-approved CO control strategies.

DATES: This action will be effective November 24, 1990 unless notice is received by October 24, 1990 that adverse or critical comments will be submitted. If the effective date is delayed, timely notice will be published in the *Federal Register*.

ADDRESSES: Written comments should be addressed to Vickie Boothe of the Region IV Air Programs Branch (see EPA Region IV address below). Copies of the materials submitted by Tennessee may be examined during normal working hours at the following locations:

Environmental Protection Agency,
Region IV, Air Programs Branch, 345
Courtland Street NE., Atlanta, Georgia
30365.

Tennessee Department of Health and
Environment, Customs House, 701
Broadway, Nashville, Tennessee
37219.

Metropolitan Nashville/Davidson
County Health Department, 311-23rd
Avenue North, Nashville, Tennessee
37203.

FOR FURTHER INFORMATION CONTACT: Vickie Boothe, Air Programs Branch, EPA Region IV, at the above address and phone number (404) 347-3864 or FTS 257-2864.

SUPPLEMENTARY INFORMATION: On May 3, 1979, EPA designated Nashville/Davidson County as nonattainment for CO. This designation was based on carbon monoxide concentrations measured at 9th and Broadway in downtown Nashville in 1977. On August 13, 1980, EPA granted Metropolitan Nashville Davidson County an extension until December 31, 1987, to meet the CO standard. The extension was granted with the stipulation that Nashville adopt transportation control measures (TCMs), and a Vehicle Inspection and Maintenance Program. EPA gave full approval of Davidson County's Carbon Monoxide Implementation Plan in the *Federal Register* on June 3, 1986 (51 FR 19836).

Tennessee has requested that EPA change the attainment status of Davidson County from nonattainment to attainment for CO. In order to redesignate a CO nonattainment area, EPA policy requires the most recent eight consecutive quarters of quality assured, representative ambient air quality data plus evidence of an implemented control strategy that EPA had fully approved. Tennessee submitted data which show Metropolitan Nashville/Davidson County's measured concentration of carbon monoxide over the past three years. This data shows that the 8-hour National Ambient Air Quality Standard for CO was exceeded only once, December 2, 1989 at Site 031 (NE. Corner of 9th and Broadway). Tennessee also submitted data from Site 028 (Donelson Library), and Site 031, (Douglas Park). There were no exceedances of either the one-hour or eight-hour standards from January 1987 through December 1989 at either of these sites. Therefore, there were no violations of either the one-hour or the eight-hour standard during the most recent eight quarters.

Tennessee has also submitted evidence of implementation of the control strategies required by the SIP for Davidson County. The required vehicle inspection and maintenance (I/M) program was adopted on January 1, 1985, and implemented in Davidson County. An EPA audit of the I/M program conducted on November 5-7, 1985, showed that the program exceeded the reasonably available control technology (RACT) requirements.

Tennessee also submitted a letter from Mr. Robert Kurzynske, Planner for the Metropolitan Planning Commission,

which certifies that the seven transportation control measures approved in the SIP have been implemented. The TCMs include:

1. Improve bus speed.
2. Subsidize employee transit costs.
3. Variable work hours.
4. Study of transit fare structure.
5. Two cent gasoline tax equivalent.
6. Traffic flow improvements.
7. Ride sharing program.

For a more detailed discussion, please refer to the Technical Support Document which is available for inspection at the EPA Region IV office.

Final Action

EPA is today approving the redesignation of the Metropolitan-Davidson County CO nonattainment area to attainment on the basis of eight quarters of air quality data and on a fully implemented control strategy approved by EPA.

EPA is publishing this action without prior proposal because the Agency views this as a noncontroversial action and anticipates no adverse comments. This action will be effective November 24, 1990 unless, within 30 days of its publication, notice is received that adverse or critical comments will be submitted.

If such a notice is received, this action will be withdrawn before the effective date by publishing two subsequent notices. One notice will withdraw the final action and another will begin a new rulemaking by announcing a proposal of the action and establishing a comment period. If no such comments are received, the public is advised that this action will be effective November 24, 1990.

Under section 5 U.S.C. 605(b), I certify that this request will not have significant impact on a substantial number of small entities. (See 46 FR 8709).

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by November 24, 1990. This action may not be challenged later in proceedings to enforce its requirements. (See 307(b)(2).)

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the Federal Register on January 19, 1989 (54 FR 2214-2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of two years.

Nothing in this action shall be construed as permitting or allowing or

establishing a precedent for any future request for a revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical economic and environmental factors and in relation to relevant statutory and regulatory requirements.

List of Subjects in 40 CFR Part 81

Air pollution control, National parks, Wilderness areas.

Dated: September 17, 1990.

Winston A. Smith,
Acting Regional Administrator.

PART 81—[AMENDED]

Part 81 of chapter I, title 40, Code of Regulations, is amended as follows:

Subpart C—Section 107 Attainment Status Designations

1. The authority citation for part 81 continues to read as follows:

Authority: 42 U.S.C. 7401-7642.

2. In § 81.343 the attainment status table titled "Tennessee—CO" is amended by removing the entry for Davidson County. As revised, the table reads as follows:

§ 81.343 Tennessee.

* * * * *

TENNESSEE—CO

Designated area	Does not meet primary standards	Cannot be classified or better than national standards
That portion of Shelby County located in downtown Memphis.	X	
Rest of State		X

* * * * *

[FR Doc. 90-22550 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 271

[FRL-3833-6]

Georgia; Final Authorization of Revisions to State Hazardous Waste Management Program

AGENCY: Environmental Protection Agency.

ACTION: Immediate final rule.

SUMMARY: Georgia has applied for final authorization for revisions to its hazardous waste program under the Resource Conservation and Recovery

Act (RCRA). The Environmental Protection Agency (EPA) has reviewed Georgia's application and has made a decision, subject to public review and comment, that Georgia's hazardous waste program revision satisfies all of the requirements necessary to qualify for final authorization. Thus, EPA intends to approve Georgia's hazardous waste program revision. Georgia's application for program revision is available for public review and comment.

DATES: Final authorization for Georgia's program revision shall be effective November 24, 1990 unless EPA publishes a prior Federal Register action withdrawing this immediate final rule. All comments on Georgia's program revision application must be received by the close of business October 24, 1990.

ADDRESSES: Copies of Georgia's program revision application are available during 8 a.m.-4 p.m. at the following addresses for inspection and copying: Georgia Department of Natural Resources, Land Protection Branch, room 1154, 205 Butler Street SE., Floyd Towers East, Atlanta, Georgia 30334; (404) 656-2833; U.S. EPA Headquarters Library, PM 211A, 401 M Street SW., Washington, DC 20460, Phone: (202) 382-5926; U.S. EPA Region IV, Library, 345 Courtland Street NE., Atlanta, Georgia 30365; (404) 347-4216. Written comments should be sent to Narindar Kumar at the address listed below.

FOR FURTHER INFORMATION CONTACT: Narindar Kumar, Chief, State Programs Section, Waste Programs Branch, Waste Management Division, U.S. Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365; (404) 347-2234.

SUPPLEMENTARY INFORMATION:

A. Background

States with final authorization under section 3006(b) of the Resource Conservation and Recovery Act ("RCRA" or "the Act"), 42 U.S.C. 6926(b), have a continuing obligation to maintain a hazardous waste program that is equivalent to, consistent with, and no less stringent than the Federal hazardous waste program. In addition, as an interim measure, the Hazardous and Solid Waste Amendments of 1984 (Pub. L. 98-616, November 8, 1984, hereinafter "HSWA") allows States to revise their programs to become substantially equivalent instead of equivalent to RCRA requirements promulgated under HSWA authority. States exercising the latter option receive "interim authorization" for the HSWA requirements under section

3006(g) of RCRA, 42 U.S.C. 6926(g), and later apply for final authorization for the HSWA requirements.

Revisions to State hazardous waste programs are necessary when Federal or State statutory or regulatory authority is modified or when certain other changes occur. Most commonly, State program revisions are necessitated by changes to EPA's regulations in 40 CFR parts 260-268 and 124 and 270.

B. Georgia

Georgia initially received final authorization for its base RCRA program effective on August 21, 1984. Georgia received authorization for revisions to its program effective on September 18, 1986. Georgia also received authorization for revisions to

its program on September 24, 1990. On July 31, 1990, Georgia submitted a program revision application for additional program approval. Today, Georgia is seeking approval of its program revision in accordance with 40 CFR 271.21(b)(3).

EPA has reviewed Georgia's application, and has made an immediate final decision that Georgia's hazardous waste program satisfies all of the requirements necessary to qualify for final authorization. Consequently, EPA intends to grant final authorization for the additional program modifications to Georgia. The public may submit written comments on EPA's immediate final decision until October 24, 1990. Copies of Georgia's application for program revision are available for inspection and

copying at the locations indicated in the "Addresses" section of this notice.

Approval of Georgia's program revision shall become effective November 24, 1990 unless an adverse comment pertaining to the State's revision discussed in this notice is received by the end of the comment period. If an adverse comment is received EPA will publish either (1) a withdrawal of the immediate final decision or (2) a notice containing a response to comments which either affirms that the immediate final decision takes effect or reverses the decision.

Georgia is today seeking authority to administer the following Federal requirement promulgated on April 22, 1988 for Non-HSWA Cluster III.

Federal requirement	FR reference	Federal promulgation date	State authority
Technical Correction; Identification and Listing of Hazardous Waste	52 FR 13382	4/22/88	391-3-11-.02(2) 391-3-11-.07(1)

Georgia is not authorized to operate the Federal program on Indian Lands. This authority remains with EPA unless provided otherwise in a future statute or regulation.

C. Decision

I conclude that Georgia's application for program revision meets all of the statutory and regulatory requirements established by RCRA. Accordingly, Georgia is granted final authorization to operate its hazardous waste program as revised.

Georgia now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program, subject to the limitations of its program revision application and previously approved authorities. Georgia also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA and to take enforcement actions under section 3008, 3013 and 7003 of RCRA.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 604(b), I hereby certify that this

authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Georgia's program, thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006 and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926, 697(b)).

Dated: September 5, 1990.

Joe R. Franzmathes,
Acting Regional Administrator.

[FR Doc. 90-22549 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 761

[OPTS-66008J; FRL 3801-7]

Polychlorinated Biphenyls (PCB's): Manufacturing, Processing, and Distribution in Commerce, Technical Amendment.

AGENCY: Environmental Protection Agency (EPA).

ACTION: Technical Amendment.

SUMMARY: Section 6 of the Toxic Substances Control Act (TSCA) generally prohibits the manufacture, processing and distribution in commerce of polychlorinated biphenyls (PCB's). It also provides a procedure where persons may petition the Administrator, for good cause shown, for an exemption from these prohibitions. EPA published the Polychlorinated Biphenyls (PCB's) Exemption Rule in the Federal Register (55 FR 21023) on May 22, 1990. This is a technical amendment to add paragraphs for class exemptions and automatic renewals which were inadvertently omitted in the codified section of that PCB Exemption Rule.

EFFECTIVE DATE: This technical amendment is effective as of September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460

Telephone: (202) 554-1404, TDD: (202) 554-0551.

ADDRESSES: The official record for the PCB exemptions is located in the TSCA Public Docket Office, Rm. NE-G004, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. The record is available for copying and inspection from 8 a.m. to 12 noon, and from 1 p.m. to 4:30 p.m. Monday through Friday, excluding holidays.

SUPPLEMENTARY INFORMATION: EPA is issuing a technical amendment to § 761.80 to reinsert text that was inadvertently omitted from the codified section of the May 22, 1990 Exemptions Rule. The technical amendment will, thus, reinstate the automatic renewals and class exemptions into the codified section of the PCB Exemption Rule. To clarify any confusion within the regulated community, the entire codified section has been reprinted in this technical amendment.

Dated: September 9, 1990.

Charles L. Elkins,
Director, Office of Toxic Substances.

Therefore, 40 CFR part 761 is amended as follows:

PART 761—[AMENDED]

1. The authority citation for part 761 continues to read as follows:

Authority: 15 U.S.C. 2605, 2607, 2611, 2614 and 2616.

2. Section 761.80 is correctly revised to read as follows:

§ 761.80 Manufacturing, processing and distribution in commerce exemptions.

(a) The Administrator grants the following petitioner(s) an exemption for 1 year to process and distribute in commerce PCBs for use as a mounting medium in microscopy:

(1) McCrone Accessories Components, Division of Walter C. McCrone Associates, Inc., 2820 South Michigan Avenue, Chicago, IL 60616.

(2) [Reserved]

(b) The Administrator grants the following petitioner(s) an exemption for 1 year to process and distribute in commerce PCBs for use as a mounting medium in microscopy, an immersion oil in low fluorescence microscopy and an optical liquid:

(1) R.P. Cargille Laboratories, Inc., 55 Commerce Road, Cedar Grove, N.J. 07009.

(2) [Reserved]

(c) The Administrator grants the following petitioner(s) an exemption for 1 year to export PCBs for use in small quantities for research and development:

(1) Accu-Standard, New Haven, CT. 06503.

(2) [Reserved]

(d) The Administrator grants the following petitioner(s) an exemption for 1 year to import (manufacture) into the United States, small quantities of existing PCB fluids from electrical equipment for analysis:

(1) Unison Transformer Services, Inc., Tarrytown, N.Y. 10591, provided each of the following conditions are met:

(i) The samples must be shipped in 5.0 ml or less, hermetically sealed vials.

(ii) The exemption is limited to no more than 250 total samples per year.

(iii) Unison makes quarterly inspections of its laboratories to ensure that proper safety procedures are being followed.

(iv) Unison annually notifies and describes to EPA its attempts to have samples analyzed abroad.

(2) [Reserved]

(e) [Reserved]

(f) The Administrator grants the following petitioner(s) an exemption for 1 year to manufacture PCBs for use in small quantities for research and development:

(1) California Bionuclear Corp., Sun Valley, CA 91352 (ME-13).

(2) Foxboro Co., North Haven, CT 06473 (ME-6).

(3) ULTRA-Scientific, Inc., Hope, RI 02831 (ME-99.1).

(4) Midwest Research Institute, Kansas City, MO 64110 (ME-70.1).

(5) Pathfinder Laboratories, St. Louis, MO 63146 (A division of Sigma Aldridge Corporation, St. Louis, MO, 63178 (ME-76).

(6) Radian Corp., Austin, TX 78766 (ME-81.2).

(7) Wellington Sciences USA, College Station, TX 77840 (ME-104.1).

(8) Accu-Standard, 25 Science Park, New Haven, CT. 06503.

(g) The Administrator grants a class exemption to all processors and distributors of PCBs in small quantities for research and development provided that the following conditions are met:

(1) All processors and distributors must maintain records of their PCB activities for a period of 5 years.

(2) Any person or company which expects to process or distribute in commerce 100 grams (.22 lb) or more PCBs in 1 year must report to EPA identifying the sites of PCB activities and the quantity of PCBs to be processed or distributed in commerce.

(h) The Administrator grants the following petitioner(s) a class exemption to its members for 1 year to process and distribute in commerce non-porous transformer component parts which have been decontaminated of PCB

residues and to buy and sell PCB Transformers or PCB-Contaminated Transformers to which only double-rinsed, non-porous component parts have been added:

(1) Electrical Apparatus Service Association, 1331 Baur Boulevard, St. Louis, MO. 63123.

(2) [Reserved]

(i)-(l) [Reserved]

(m) The Administrator grants the following petitioner(s) an exemption for 1 year to process and export small quantities of PCBs for research and development:

(1) Chem Service, Inc., West Chester, PA 19380 (PDE-41).

(2) Foxboro Co., North Haven, CT 06473 (ME-6).

(3) PolyScience Corp., Niles, IL 60648 (PDE-178).

(4) ULTRA-Scientific, Inc., Hope, RI 02831 (PDE-282.1).

(5) Supelco, Inc., Bellefonte, PA 16823-0048 (PDE-41.2).

(6) Radian Corp., Austin, TX 78766 (PDE-182.1).

(n) The 1-year exemption granted to petitioners in paragraphs (a) through (f) and (m) of this section shall be renewed automatically unless a petitioner notifies EPA of any increase in the amount of PCBs to be processed and distributed, imported (manufactured), or exported; or of any change in the manner of processing and distributing, importing (manufacturing), or exporting of PCBs and unless EPA initiates rulemaking to terminate the exemption. Until EPA acts on the petition, the petitioner will be allowed to continue the activities for which it requests exemption.

(o) The 1-year class exemption granted to all processors and distributors of PCBs in small quantities for research and development in paragraph (g) of this section shall be renewed automatically unless information is submitted affecting EPA's conclusion that the class exemption, or the activities of any individual or company included in the exemption, will not pose an unreasonable risk of injury to health or the environment. EPA will evaluate the information, issue a proposed rule for public comment, and issue a final rule affecting the class exemption or individuals or companies included in the class exemption. Until EPA issues a final rule, individuals and companies included in the class exemption will be allowed to continue processing and distributing PCBs in small quantities for research and development.

[FR Doc. 90-22554 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-F

**FEDERAL COMMUNICATIONS
COMMISSION****47 CFR Part 25****Satellite Communications**

AGENCY: Federal Communications Commission.

ACTION: Final rule; technical amendment.

SUMMARY: These technical amendments are being made to correct errors that have been identified by the Agency in the Code of Federal Regulations.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Rosalee Chiara (202) 634-1781

Part 25 of title 47 of the Code of Federal Regulations is amended as follows:

PART 25—[AMENDED]

1. The authority citation for part 25 is revised to read as follows:

Authority: Sections. 101-404, 76 Stat. 419-427; 47 U.S.C. 701-744, Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303.

2. All authority citations at the subpart or sectional levels in part 25 are removed.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 90-22575 Filed 9-21-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION**Research and Special Programs
Administration****49 CFR Part 173**

[Docket No. HM-201B; Amendment No. 173-222]

RIN 2137-AB39

**Shippers; Use of Tank Car Tanks With
Localized Thin Spots; Corrections and
Response to a Petition for
Reconsideration**

AGENCY: Research and Special Programs Administration (RSPA), DOT.

ACTION: Final rule, corrections and response to a petition for reconsideration.

SUMMARY: This document makes certain corrections to a final rule, regarding the use of tank car tanks with localized thin spots, issued under Docket HM-201B (January 5, 1990; 55 FR 422). In addition,

this document responds to a petition for reconsideration.

EFFECTIVE DATE: September 24, 1990.

This rule is being made effective immediately because it merely corrects minor discrepancies in existing regulations.

FOR FURTHER INFORMATION CONTACT:

Philip Olekszyk, Deputy Associate Administrator for Safety, Federal Railroad Administration, RRS-2, Washington, DC 20590, Telephone (202) 366-0897.

SUPPLEMENTARY INFORMATION: On January 5, 1990 (55 FR 422), RSPA published a correction document to a final rule issued under Docket HM-201B (February 28, 1989; 54 FR 8336), concerning the use of tank car tanks with localized thin spots. In § 173.31(a)(11)(vi) and (ix) of the final rule, certain tanks were erroneously referred to as "DOT specification 206W tank car tanks" instead of "AAR 206W tank car tanks". Also, in § 173.31(a)(11)(vi) of the final rule, the phrase "lower half of the outer shell" is used. The correct phrases should be "lower half of the heads of the tank car tank" and "the lower half of the heads of the outer shell of a class DOT 115 tank car tank or an AAR 206W tank car tank." These errors are corrected in this document.

In the preamble of the correction document (page 422), under a discussion entitled "Meaning of part 179 Standards", RSPA stated, in part:

RSPA and FRA have concluded that the shell thickness issue can be resolved only through a careful rulemaking process exploring all aspects of the issue. * * * DOT has a current, companion rulemaking proceeding, Docket HM-201, in which these issues will be resolved. An NPRM under that docket addressing these issues will be issued soon. Until a final rule emerges in that docket, the shell thickness requirements specified in part 179, as amended, by this final rule, are the minimum in service shell thickness requirements throughout the life of a tank car.

The Railway Progress Institute (RPI) objected to these comments. RPI petitioned RSPA to "reconsider its position as announced on January 5, 1990, that tank shell thickness requirements apply during the life of the tank car and that it defer issuing an interpretation of its regulations until the completion of rulemaking HM-201, in which the tank shell thickness issue may be addressed with the benefit of a full record."

RSPA's position that the shell thickness of a tank car tank may not fall below the required minimum thickness prescribed by part 179 is consistent with that for other bulk packagings, such as

cargo tanks. On April 7, 1983 (48 FR 15127), RSPA published a Rule Related Notice concerning continuing qualification of cargo tanks. In that document, shippers and motor carriers offering hazardous materials in cargo tanks were made aware that:

* * * the minimum thickness requirement * * * is an essential function in determining the continuing qualification of a cargo tank as an authorized packaging. For example, if an MC 310 cargo tank has a capacity of 2000 gallons, its minimum thickness may be no less than 3/8 inch. If the tank is less than 3/8 inch at any point, e.g., as a result of internal or external corrosion, it may no longer be marked "MC 310" on its identification plate, nor may it be used as a specification cargo tank under the HMR.

RSPA takes this same position with respect to tank car tanks with localized reductions in wall thickness. The amendments issued on January 5, 1990, under HM-201B, grant relief to shippers by permitting the use of certain railroad tank car tanks with shell thickness in localized areas that otherwise would not conform to the applicable specifications.

The procedures set forth in 49 CFR 106.35 provide for persons to petition for reconsideration of any regulation issued. These procedures prescribe that the petition must contain an explanation as to why compliance with the rule is not practicable, is unreasonable, or is not in the public interest. In its petition, RPI offers no objection to amendments allowing tank car tanks with localized reductions of shell thickness due to tank repairs to continue in service. Instead, RPI's petition pertains to a statement found in the preamble discussion rather than a regulation issued under HM-201B. Therefore, the petition is denied.

Furthermore, although RPI seeks reconsideration of the preamble language in the January 5, 1990 correction document as a "new" interpretation, the RSPA position objected to was apparent when the rulemaking in HM-201B began in 1987. As noted in the preamble to the final rule issued February 28, 1989, commenters had raised the issue of whether the minimum tank car shell thickness required by the specification applied to cars in use. (See 54 FR 8337.) The answer then and now is that the rules now require maintenance of the requirements of the specification, but that the merits of required maintenance of tank car tank shell thickness will be fully explored in Docket HM-201. Thus the study submitted with RPI's petition here ("Railroad Tank Car Safety Assessment" prepared by Failure Analysis Associates) will be considered in that rulemaking.

Administrative Notices

RSPA has determined that this rulemaking (1) is not "major" under Executive Order 12291; (2) is not "significant" under DOT's regulatory policies and procedures (44 FR 11034); (3) will not affect not-for-profit enterprises or small governmental entities; and (4) does not require an environmental impact statement under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*).

A regulatory evaluation developed for Amendment No. 173-208 is available for review in the Docket. This rule does not change the assessments made in that regulatory evaluation.

Based on information concerning the size and nature of entities likely to be affected by this final rule, I certify that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. I have reviewed this regulation in accordance with Executive Order 12612 ("Federalism"). It has no substantial direct effects on States, on the Federal-State relationship, or on the distribution of power and responsibilities among levels of government. Thus, this

regulation contains no policies that have Federalism implications as defined in Executive Order 12612 and, therefore, no Federalism Assessment has been prepared.

A regulatory information number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Regulatory Agenda.

List of Subjects in 49 CFR Part 173

Hazardous materials transportation, packaging and containers.

In consideration of the foregoing, 49 CFR part 173 is amended as follows:

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

1. The authority citation for part 173 continues to read as follows:

Authority: 49 U.S.C. App. 1803, 1804, 1805, 1806, 1807, and 1808; 49 CFR part 1.

2. In § 173.31, paragraphs (a)(11)(vi) and (a)(11)(ix) are revised to read as follows:

§ 173.31 Qualification, maintenance, and use of tank cars.

(a) * * *

(11) * * *

(vi) There are no reductions in shell thickness on the lower half of the heads of—

(A) The tank car tank; or

(B) The outer shell of a class DOT 115 tank car tank or an AAR 206W tank car tank;

(ix) For a class DOT 115 tank car tank or an AAR 206W tank car tank, there are no reductions in the thickness of the inner tank.

Issued in Washington, DC on September 18, 1990, under authority delegated in 46 CFR 1.53.

Travis P. Dungan,

Administrator, Research and Special Programs Administration.

[FR Doc. 90-22538 Filed 9-21-90; 8:45 am]

BILLING CODE 4910-60-M

Proposed Rules

Federal Register

Vol. 55, No. 185

Monday, September 24, 1990

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1005

(DA-90-031)

Milk in the Carolina Marketing Area; Proposed Temporary Revision of Pool Distributing Plant Route Disposition Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed temporary revision of rule.

SUMMARY: This notice invites written comments on a proposal to decrease temporarily the route disposition requirements applicable to a pool distributing plant under the Carolina milk order. For the months of September through November 1990 and January and February 1991, the percentage of route disposition by a pool distributing plant would be decreased from 60 percent to 50 percent. The action was requested by a cooperative association and a proprietary handler. Proponents contend that this action is needed to avoid some additional costs in pooling milk at one of two distributing plants operated by the handler.

DATES: Comments are due no later than October 1, 1990.

ADDRESSES: Comments (two copies) should be sent to: USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: Robert F. Groene, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 447-2089.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural

Marketing Service has certified that this action would not have a significant economic impact on a substantial number of small entities. Such action would eliminate the need to make uneconomic shipments of milk to meet the pooling standards of the order.

The proposed rule has been reviewed by the Department in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and paragraph (a)(2) of § 1005.7 of the order, the temporary revision of certain provisions of the order regulating the handling of milk in the Carolina marketing area is being considered for the months of September through November 1990 and January and February 1991.

All persons who desire to submit written data, views or arguments about the proposed revision should send two copies of their views to USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, by the 7th day after publication of this notice in the *Federal Register*. The time for filing comments is limited to 7 days in order to complete the necessary procedures and make the revision applicable for the month of September if such revision is warranted.

Statement of Consideration

The provision proposed to be revised is the route disposition percentage applicable to a pool distributing plant pursuant to § 1005.7(a)(2). The revision would be effective for the months of September through November 1990 and January and February 1991. The specific revision would decrease the route disposition percentages, applicable to a pool distributing plant, by 10 percentage points during such months.

Southern Milk Sales, Inc. and Hunter Jersey Farms, Inc. (Hunter Jersey) requested the action. The proponents indicated that Hunter Jersey operates two distributing plants located in the marketing area. One of the two plants is expected to have about 50 percent route disposition and the other plant is expected to have about 86 percent route disposition. The combined route

disposition of the two plants would be about 72 percent.

Proponents also requested that the order be amended to permit any handler that operates two or more distributing plants to combine the receipts and utilization of milk and milk products at such plants for reporting purchases. Pending the completion of such amendatory proceeding, proponents have requested the Director of the Dairy Division to lower the 60 percent route disposition standard by 10 percentage points.

The proponents indicated that unless this action is granted, Hunter Jersey would have to incur additional costs in order to pool the milk received at the plant having about 50 percent route disposition. The other alternative would be to not pool the plant which would result in a reduction in income for the dairy farmers supplying such plant.

In view of the foregoing, it may be appropriate to decrease the route disposition requirement applicable to a distributing plant for the months of September through November 1990 and January and February 1991. Interested parties are invited to comment on the need for the proposed temporary revision.

List of Subjects in 7 CFR Part 1005

Milk marketing orders.

Authority: [Secs. 1-19, 48 Stat. 31, as amended (7 U.S.C. 601-674)].

Signed at Washington, DC, on: September 18, 1990.

W.H. Blanchard,

Director, Dairy Division.

[FR Doc. 90-22566 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 1030

(DA-90-033)

Milk in the Chicago Regional Marketing Area; Proposed Revision of Supply Plant Shipping Percentages

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed revision of rules.

SUMMARY: This notice invites written comments on a proposal to revise certain provisions of the Chicago Regional milk order for the months of September and October 1990. The

proposal would reduce the shipping percentages for pooling individual supply plants by 3 percentage points (from 5 to 2 percent of receipts) and units of supply plants by 5 percentage points (from 10 to 5 percent of receipts). The reductions were requested by Central Milk Producers Cooperative, a federation of cooperatives that represents producers who supply the market. The organization contends that the action is necessary to prevent uneconomic shipments of milk from supply plants to distributing plants. The organization has requested that the shipping standard be reduced for September and has indicated that a similar reduction may be necessary for October. Thus, comments are being requested on a reduction of the shipping standards for both months.

DATES: Comments are due no later than October 1, 1990.

ADDRESSES: Comments (two copies) should be sent to: USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: John F. Borovics, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456 (202) 447-2089.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this action will not have a significant economic impact on a substantial number of small entities. The action would reduce the regulatory impact on milk handlers and tend to insure that the market would be adequately supplied with milk for fluid use with a smaller proportion of milk shipments from pool supply plants.

This proposed rule has been reviewed by the Department in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and the provisions of § 1030.7(b)(5) of the order, the revision of certain provisions of the order regulating the handling of milk in the Chicago Regional marketing area is being considered for the months of September and October 1990.

All persons who desire to submit written data, views or arguments about

the proposed revision should send two copies of their views to USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456 by the 7th day after publication of this notice in the *Federal Register*. The period for filing comments is limited to seven days because a longer period would not provide the time needed to complete the required procedures and include September in the revision period.

All written submissions made pursuant to this notice will be made available for public inspection in the Dairy Division during regular business hours (7 CFR 1.27(b)).

Statement of Consideration

The provisions proposed to be revised are the supply plant shipping percentages for the months of September and October 1990. The proposed action would reduce the shipping percentage for individual supply plants by 3 percentage points (from 5 to 2 percent of receipts) and for supply plant units by 5 percentage points (from 10 to 5 percent of receipts).

Currently, the order provides that individual supply plants must ship at least 5 percent of milk receipts to other plants to qualify as pool plants while a unit of supply plants must ship at least 10 percent of total receipts for pooling purposes during the months of September through December. During other months the shipping standards are 3 percent for individual plants and 6 percent for a unit of plants.

The Chicago order provides that the market administrator may adjust the shipping standards for individual plants and units of plants by up to 2 percentage points for up to 3 months. The order also provides that the Director of the Dairy Division may increase the shipping standards by up to 5 percentage points or decrease the shipping standards by up to 10 percentage points. The adjustments can be made to encourage additional milk shipments or to prevent uneconomic shipments.

The revision was requested by Central Milk Producers Cooperative (CMPC), a federation of cooperative associations that represent a substantial number of the producers who supply the market. CMPC contends that a reduction of the shipping percentages is necessary to prevent uneconomic shipments of milk from distant supply plants solely for pooling purposes.

Based on supply and sales estimates, CMPC requested that the market administrator reduce the shipping percentages by 2 percentage points during the months of August through

October. CMPC indicates that the reduction for August by the market administrator permitted the use of nearby milk to satisfy fluid milk needs and saved substantial transportation costs because milk did not have to be shipped from distant supply plants. An identical reduction of the shipping percentages for September has also been issued by the market administrator.

Based on the most recent supply and demand estimates, CMPC contends that a further reduction of the shipping percentages for September is necessary. CMPC contends that in order to make the most efficient use of available milk supplies, as much as possible of nearby milk supplies will have to be utilized with reliance on distant supplies only on days when nearer milk supplies have been exhausted. For the month of September, CMPC contends that such efficiencies can only be realized if the shipping standards for individual plants and units of supply plants are reduced to 2 and 5 percent of receipts, respectively. In addition, CMPC indicates that it may be necessary for the October shipping standards to be reduced in a similar fashion.

In view of the supply/demand relationship, it may be necessary to reduce the supply plant shipping percentages as proposed to provide for the efficient and economic marketing of milk during the months of September and October.

List of Subjects in 7 CFR Part 1030

Milk marketing orders.

The authority citation for 7 CFR part 1030 continues to read as follows:

Authority: (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

Signed at Washington, DC, on: September 18, 1990.

W.H. Blanchard,
Director, Dairy Division.

[FR Doc. 90-22567 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-02-M

7 CFR Part 1106

[DA-90-034]

Milk in the Southwest Plains Marketing Area; Proposed Suspension of Certain Provisions of the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed suspension of rule.

SUMMARY: This notice invites written comments on a proposal for the months of September 1990 through January 1991

that would suspend the shipping standards for supply plants under the Southwest Plains order. The action was requested by Kraft, Inc., Associated Milk Producers, Inc., and Mid-America Dairymen, Inc. The proponents contend that the action is necessary to eliminate costly and inefficient movements of milk from supply plants that would have to be made to assure the continued pricing and pooling of the milk of producers who have historically supplied the market's fluid milk needs.

DATES: Comments are due no later than October 1, 1990.

ADDRESSES: Comments (two copies) should be filed with the USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456.

FOR FURTHER INFORMATION CONTACT: John F. Borovics, Marketing Specialist, USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, (202) 447-2089.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601-612) requires the Agency to examine the impact of a proposed rule on small entities. Pursuant to 5 U.S.C. 605(b), the Administrator of the Agricultural Marketing Service has certified that this proposed action would not have a significant economic impact on a substantial number of small entities. Such action would lessen the regulatory impact of the order on certain milk handlers and would tend to ensure that dairy farmers would continue to have their milk priced under the order and thereby receive the benefits that accrue from such pricing.

This proposed rule has been reviewed by the Department in accordance with Departmental Regulation 1512-1 and the criteria contained in Executive Order 12291 and has been determined to be a "non-major" rule.

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the suspension of the following provisions of the order regulating the handling of milk in the Southwest Plains marketing area is being considered for the months of September 1990 through January 1991.

1. In § 1106.6, the words "during the month".

2. In § 1106.7(b)(1), the words, "of February through August until any month of each period in which less than 20 percent of the milk received or diverted as previously specified, is shipped to plants described in paragraph (a) or (e) of this section. A plant not meeting such 20 percent

requirement in any month of such February-August period shall be qualified in any remaining month of such period only if transfers and diversions pursuant to paragraph (b)(2) of this section to plants described in paragraph (a) or (e) of this section are not less than 50 percent of receipts or diversions, as previously specified".

All persons who want to send written data, views or arguments about the proposed suspension should send two copies of them to the USDA/AMS/Dairy Division, Order Formulation Branch, room 2968, South Building, P.O. Box 96456, Washington, DC 20090-6456, by the 7th day after publication of this notice in the *Federal Register*. The period for filing comments is limited to 7 days because a longer period would not provide the time needed to complete the required procedures and include September in the suspension period.

The comments that are sent will be made available for public inspection in the Dairy Division during normal business hours (7 CFR 1.27(b)).

Statement of Consideration

The proposal for September 1990 through January 1991 would suspend the shipping standards for supply plants that were previously associated with the market. The order defines a supply plant as a plant from which fluid milk products are transferred or diverted to distributing plants during the month. It further provides that in order to be pooled under the order during the months of September through January, 50 percent of a supply plant's receipts must be shipped to distributing plants each month. Also, a supply plant that was pooled during each of the immediately preceding months of September through January shall continue to be pooled during the following months of February through August if 20 percent of its receipts are shipped to distributing plants. The requested action would remove all shipping standards during the months of September 1990 through January 1991 for supply plants that were pooled under the order during the immediately preceding September through January period.

The suspension was requested by Kraft, Inc., a handler who operates a supply plant that is pooled under the order. The proposed action is supported by Associated Milk Producers, Inc., and Mid-America Dairymen, Inc., cooperative associations that represent a substantial number of producers who supply the market. The organizations contend that there are ample supplies of direct-ship milk located near to distributing plants that are available to

supply the fluid milk needs of such plants during the months of September 1990 through January 1991. Thus, the organizations contend that supplemental shipments from supply plants will not be needed during such months. The organizations contend that in the absence of a suspension action, costly and inefficient movements of milk from supply plants would have to be made to assure the continued pooling of milk of dairy farmers who have historically supplied the market's fluid milk needs.

List of Subjects in 7 CFR Part 1106

Milk marketing orders.

The authority citation for 7 CFR part 1106 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

Signed at Washington, DC, on September 18, 1990.

Kenneth C. Clayton,
Acting Administrator.

[FR Doc. 90-22568 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-02-M

Animal and Plant Health Inspection Service

9 CFR Part 78

[Docket No. 88-022]

Brucellosis

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: We are proposing to amend the regulations concerning brucellosis, to (1) allow movement of cattle from approved intermediate handling facilities to quarantined feedlots; (2) require that approved intermediate handling facilities be separate and apart from livestock facilities for breeding cattle and breeding bison, rather than from all other livestock facilities; (3) change the allowable minimum number of live organisms in official calfhood vaccines to 2.7 billion per 2 ml. dose; (4) expand the conditions under which the standard card test may be used as an official test; (5) allow reinstatement of "certified free herd" status after a reactor is found, if sufficient evidence shows that the reactor's herd is not infected with field strain *Brucella abortus*; (6) remove the adjusted MCI reactor rate as a standard for Class Free States; and (7) provide for the interstate movement of rodeo bulls on the basis of a single annual test. We believe these amendments are warranted to remove unnecessary restrictions without

significantly increasing the risk of the spread of brucellosis.

DATES: Consideration will be given only to comments received on or before November 24, 1990.

ADDRESSES: To help ensure that your written comments are considered, send an original and three copies to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 866, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket No. 88-022. Comments received may be inspected at USDA, room 1141, South Building, 14th and Independence Avenue, SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. John D. Kopec, Senior Staff Veterinarian, Cattle Diseases and Surveillance Staff, VS, APHIS, USDA, room 729, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-6188.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR part 78 (referred to below as the regulations) govern the interstate movement of cattle, bison, and swine in order to help prevent the interstate spread of brucellosis, a serious, infectious, and contagious disease of animals and man. The regulations are part of a cooperative Federal and State program to eradicate the disease and to protect States and areas where eradication efforts have been successful. In this document, we are proposing to make a number of amendments to the regulations.

Movement From Intermediate Handling Facilities to Quarantined Feedlots

The current regulations allow cattle that are being moved interstate to be moved from an approved intermediate handling facility only to a recognized slaughtering establishment. An intermediate handling facility, which must meet certain criteria to be approved, is used as an assembly point at which cattle from various sources are brought together. By assembling the cattle at one location, full truckloads of cattle can more easily be formed for movement to slaughter. Representatives of the cattle industry have requested that the regulations be amended to allow cattle at an approved intermediate handling facility to move to a quarantined feedlot, as well as to a recognized slaughtering establishment. The representatives of the cattle industry stated that if this movement is allowed, it will be easier to assemble

full truckloads before moving cattle to quarantined feedlots. In this document, we are proposing to make such an amendment to the regulations. We believe that making such a change would not significantly increase the risk of spreading brucellosis. Although the regulations do allow movement from a quarantined feedlot to locations other than a recognized slaughtering establishment, the ultimate destination of the cattle so moved, and any cattle they may come in contact with, must be a recognized slaughtering establishment.

Approved Handling Facilities

One of the criteria in the current regulations for an approved intermediate handling facility is that the facility be separate and apart from other livestock handling facilities. We believe that this provision is more restrictive than is necessary. The primary risk of the spread of brucellosis occurs when breeding cattle or breeding bison are infected with brucellosis. Therefore, we are proposing to amend the regulations to require that an approved intermediate handling facility be separate and apart from other livestock handling facilities for breeding cattle and breeding bison.

Official Calfhood Vaccinate

The current regulations contain a definition of "Official calfhood vaccinate." According to this definition, female cattle or bison are considered official calfhood vaccinates if they are vaccinated while from 4 through 12 months of age by a Veterinary Services representative, state representative, or accredited veterinarian, with a reduced dose approved brucella vaccine containing at least 3.0 billion and not more than 10 billion live cells per 2 ml. dose. However, research conducted on varying dosages of vaccine at the Animal and Plant Health Inspection Service (APHIS) National Veterinary Services Laboratories, and by the Agricultural Research Service, United States Department of Agriculture, has determined that reducing the minimum level of live cells to 2.7 billion per 2 ml. dose would not create a statistically significant difference in the immunity level of the cattle and bison immunized. We are therefore proposing to make such a change in the regulations.

Standard Card Test

The definition of "official test" in the regulations contain a list of tests that have been approved by APHIS to determine the brucellosis disease status of test-eligible cattle and bison. Included in the definition of "official test" are conditions under which several tests, including the standard card test, may be

considered official tests. In this document, we are proposing to expand the definition of official test to also consider the standard card test as official test, if it is used in specifically approved stockyards, when the state animal health official designates the standard card test as the official test for non-vaccinated cattle and bison, and designates the standard plate test, the Rivanol test, and/or the CITE test as supplemental diagnostic tests for officially vaccinated cattle and bison. Because the standard card test is a sensitive test, it sometimes indicates a positive reaction in vaccinated cattle and bison, even if the cattle and bison are not infected with brucellosis. Confirmation of a positive result on the standard card test requires further testing. Under the current regulations, if any cattle or bison that are official vaccinates test positive to the standard card test, any other cattle or bison in the same shipment as the animal that tested positive may not be released, except to slaughter, pending further testing of the samples at a laboratory. The change we are proposing would allow the standard card test to be used with supplemental tests at the stockyard, which would allow for more orderly processing of cattle, without an increase in disease risk.

We are also proposing to establish a method for determining the disease status of cattle and bison at specifically approved stockyards when different tests yield different results in those States where the standard card test would be used with supplemental tests. We are proposing that officially vaccinated cattle and bison that are positive to the standard card test shall be classified as suspects if all of the supplemental tests that are conducted disclose a negative or suspect reaction. We believe this conclusion would be necessary because, as noted above, the standard card test is so sensitive that it sometimes yields false positives in vaccinated cattle and bison, and cannot be relied on alone to identify an infected animal. Additionally, we are proposing that officially vaccinated cattle or bison that are positive to the standard card test shall be classified as reactors if even one supplemental test conducted on the cattle or bison has a reactor result. Our experience has indicated that confirmation of a positive standard card test by even one supplemental test makes it likely that the animal being tested is infected with brucellosis.

We are also proposing to make a clarification regarding the standard card test in the definition of "Official test." Currently, the heading for "Standard

card test" in the definition of "Official test" is followed by the parenthetical phrase "(standard sensitivity ph 3.8)." However, we believe that the parenthetical phrase may be misleading, because it could imply, erroneously, that some other card test, with a different sensitivity, is available. For this reason, we are proposing to remove the parenthetical phrase "(standard sensitivity ph 3.8)" from the regulations.

Reinstatement as a Certified Brucellosis-Free Herd

The current regulations provide criteria for a herd of cattle or bison to be considered a certified brucellosis-free herd. Under the regulations, a herd of dairy cattle qualifies as a certified brucellosis-free herd if a minimum of four consecutive negative brucellosis ring tests are conducted at not less than 90-day intervals, followed by a negative herd blood test within 90 days after the last negative brucellosis ring test. Additionally, any herd of cattle or bison qualifies as a certified brucellosis-free herd if two consecutive negative herd blood tests are conducted not less than 10 months nor more than 14 months apart.

Currently, if a brucellosis reactor is found in a certified free herd, that herd may be recertified only if the certification process is repeated. In this document, we are proposing that a herd in which a brucellosis reactor has been found may be reinstated as a certified brucellosis-free herd, without the certification process being repeated, if epidemiological and bacteriological culture information shows that the herd is not infected with field strain *Brucella abortus*. It is possible for cattle and bison to be identified as brucellosis reactors without being infected with field strain *Brucella abortus*. This situation occurs most commonly in vaccinated cattle and bison. Unless the cattle or bison are infected with field strain *Brucella abortus*, they are incapable of transmitting brucellosis to other cattle and bison. For this reason, we are proposing that any herd in which a brucellosis reactor is found, but that is not infected with field strain *Brucella abortus*, is not required to undergo the certification process to be reinstated as a certified brucellosis-free herd.

MCI Reactor Prevalence Rate in Class Free States

The regulations currently provide criteria for States and areas to be categorized into one of four different "class" designations, depending on various factors regarding the incidence of brucellosis in each State or area, and the establishment in the State or area of

a brucellosis eradication program. Among the factors considered in categorizing each State or area is the "MCI reactor prevalence rate." Under the regulations, all States have established a market cattle identification (MCI) program for identifying brucellosis-affected cattle in the State. Under the MCI program, blood samples must be collected at each recognized slaughtering establishment from 95 percent of cows and bulls 2 years of age or over and then must be subjected to an official test. Among other factors, the "class" designation of a State or area depends on what percentage of cattle tested are identified as reactors. This percentage is called an "MCI reactor prevalence rate."

The MCI reactor prevalence rate is adjusted downward to accommodate certain factors that would otherwise skew the rates. Among the factors taken into account when adjusting the MCI reactor prevalence rate are cattle traced to herds with negative herd blood tests. This adjustment is made in order to eliminate from the rate cattle that are MCI reactors for some reason other than infection with brucellosis. Our experience conducting brucellosis programs indicates that if a herd in a Class Free State from which an MCI reactor comes tests negative for brucellosis, it is highly unlikely the reactor was infected with brucellosis.

The practice of using negative herd testing to adjust the MCI reactor prevalence rate encourages the testing of herds that otherwise might not be tested, and thus provides for early detection of infection. Although this provision seems to be effective in States or areas in which brucellosis is present, it appears that requiring such an adjusted MCI reactor prevalence rate for retention of Class Free status may be resulting in unnecessary testing.

To maintain Class Free status, a State or area must maintain a 12 consecutive month MCI reactor prevalence rate of not more than one brucellosis reactor per 2,000 cattle tested (0.050 percent). If even a small number of MCI reactors are found in a Class Free state or area, a significant number of the herds from which these animals come must then be tested negative to adjust the rate to the level necessary to maintain Class Free status. Our experience in Class Free States and areas has been that testing of herds done simply to lower the adjusted MCI reactor prevalence rate rarely finds affected herds, and that when affected herds are found, epidemiological evidence would have suggested the advisability of testing the herd. The fact that a State or area has achieved Class

Free status indicates that the brucellosis program in the State or area has been conducted effectively enough to eradicate brucellosis there. We expect the effectiveness of these brucellosis programs to continue, even if the current provision regarding the adjusted MCI reactor prevalence rate for Class Free States and areas is removed. Further, it appears that, in some instances, conducting tests that are unnecessary for health reasons is creating antipathy toward, rather than support for, the brucellosis program in the State. We are therefore proposing: (1) To remove the requirement that to retain Class Free status a State or area maintain a 12 consecutive month MCI reactor prevalence rate of no more than one brucellosis reactor per 2,000 cattle tested (0.50 percent); and (2) to remove the provision that the MCI reactor prevalence rate in Class Free areas be adjusted for cattle traced to herds with negative herd blood tests. However, both the current rate requirement and the adjustment for cattle traced to herds with negative blood tests would continue to be applied when determining whether a State or area qualifies to attain Class Free status.

Although we are proposing to remove the current MCI reactor prevalence rate for retention of Class Free status, we believe it is necessary to include some provision in the regulations to provide for the termination of Class Free status should the MCI reactor prevalence rate rise significantly. Therefore, we are proposing to add to the regulations a provision requiring that, for retention of Class Free status, a State or area maintain a 12 consecutive month MCI reactor prevalence rate not more than 10 percent greater than that for the previous 12 month period, except that this rate may not equal or exceed the MCI reactor prevalence rate established for Class A status, which is the next most stringent classification level.

Also, under the current regulations, the MCI reactor prevalence rate is adjusted for cattle that are traced to herds known to be affected with brucellosis. Because by definition there are no herds known to be affected in Class Free States and areas, the language including such a factor in the regulations with regard to those states and areas is unnecessary. We are therefore proposing to remove that language from the regulations.

Rodeo Bulls

The regulations define certain cattle or bison as "test eligible." These are cattle or bison that pose enough of a risk of being affected with brucellosis that

they must be tested negative for the disease in order to be moved interstate. Under the current regulations, bulls that are used for rodeos are considered test eligible and must be tested within 30 days of moving interstate. It appears, however, that there would be no significant risk of the transmission of brucellosis if bulls that are used solely for competition in rodeos are not tested every time they are moved interstate. If these animals are not used for breeding while on the rodeo circuit, they would pose no significant risk of transmitting or becoming affected with brucellosis at that time. Therefore, we are proposing to amend the regulations to provide that rodeo bulls that are otherwise test-eligible and that are from herds not known to be affected may be moved interstate if they have been tested negative for brucellosis on an official test less than 365 days before the day of movement.

This "effective period" following the date of testing would enable a bull to be used on a year-long rodeo circuit without being tested each time it is moved interstate. We would add a definition of "rodeo bull," to define such bulls as male cattle that are kept solely for performance at rodeos. We are also proposing to specify in the regulations that if such a bull is used for breeding during the 365 day period following an official test, it may not be moved interstate unless it otherwise meets the testing requirements of 9 CFR part 78.

In order to maintain the identity of rodeo bulls, we would require that the bulls be individually identified with an official eartag, that there be no change of ownership, and that a certificate accompany each movement. In order to allow monitoring of the location of the rodeo bulls, we would require that the bull be issued a "permit for entry" from the state animal health official of the state of destination prior to each movement interstate.

Miscellaneous

We are also proposing to amend part 78 by revising the Office of Management and Budget (OMB) control number citations contained in the part. This action would be nonsubstantive and would be taken to comply with the Paperwork Reduction Act and OMB regulations.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this proposed rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this rule would have an

effect on the economy of less than \$100 million; would not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and would not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The proposed changes that would have some economic impact are discussed in this and the following paragraphs. The proposed change to the regulations to allow movement of cattle from approved intermediate handling facilities to quarantined feedlots would make it easier to assemble full truckloads before moving cattle to quarantined feedlots. This would result in lower transportation costs for some cattle owners, because it would reduce the number of trips to quarantined feedlots, for which carriers usually charge on a per mile basis. It would also result in some decrease in income for carriers. However, we believe these economic effects would be insignificant in comparison to the total number of cattle moved by carrier each year. The great majority of cattle that are moved to slaughter do not go through a quarantined feedlot. Further, even though assembling such cattle at intermediate handling facilities would eliminate some trips, those cattle so assembled will still have to be moved by some form of carrier to the quarantined feedlot.

The proposed change to reduce the allowable minimum number of live organisms in official calfhood vaccines to 2.7 billion per 2 ml. dose would extend the shelf life of the vaccine. An estimated 375,000 additional doses of the vaccine would be able to be administered because of this extended shelf life. This increase in the number of doses, which would be spread among purchasers of the vaccine nationwide, represents less than 4 percent of the approximately 10 million doses administered annually, and would provide a savings to purchasers of only \$.20 per additional dose.

The proposed change to allow supplemental tests to be used with the standard card test at specifically approved stockyards would decrease the amount of time that cattle accompanying an animal testing positive to the standard card test would be detained at the stockyard. Currently, such animals are detained for an average of 2 to 6 days. This delay would be unnecessary if supplemental test

results were obtained in a day. Although statistics are not kept on the number of animals at stockyards considered to be suspect, we believe, based on experience, that the number of cattle affected by the change in the regulations would be insignificant in relation to the total number of cattle moved through specifically approved stockyards each year.

Another of the changes proposed in this docket is to allow reinstatement of "certified free herd" status after a reactor is found, if sufficient evidence shows that the reactor's herd is not infected with field strain *Brucella abortus*. In fiscal year 1988, there were 15,879 certified free herds in the United States, of which approximately 0.5 percent would have been affected by this proposed change. Based on an average herd size of 75 animals, and average test costs of between one dollar and three dollars per animal, the savings would have ranged from between \$75 to \$225 per herd affected by the change. We do not expect this savings estimate to change significantly for fiscal year 1989.

The proposed change to remove the adjusted MCI reactor prevalence rate as a standard for Class Free states would make unnecessary herd testing that is done merely to lower that rate. Based on the 1982 "Census of Agriculture," there were more than 1.2 million herds of cattle in the United States at that time. In fiscal year 1988, 927 of the herds in Class Free states were tested negative. Those 927 herds contained a total of 56,360 cattle. We estimate that epidemiological evidence would have made unnecessary the testing of approximately three-fourths of those cattle. Based on estimated handling and testing costs of between \$2.25 and \$4.25 per head, the savings from not testing those cattle would have totalled between \$95,107 and \$179,647. Averaged over the number of herds that we believe were tested in fiscal year 1988 merely to lower the MCI reactor prevalence rate, the savings per herd would have ranged from \$137 to \$260. We do not expect this savings estimate to change significantly for fiscal year 1989.

One of the changes proposed in this docket would provide for the interstate movement of rodeo bulls on the basis of a single annual test. We estimate that approximately 3,750 bulls would be affected by this proposed change, with an average of five fewer tests conducted per bull each year. Based on an estimated cost per test of \$6.00, the annual savings per bull would be approximately \$30.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR part 3015, subpart V). We have carried out the required consultation in accordance with the Executive Order.

Paperwork Reduction Act

In accordance with section 3507 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35), the information collection provisions that are included in this proposed rule will be submitted for approval to the Office of Management and Budget. Your written comments will be considered if you submit them to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, DC 20503. You should submit a duplicate copy of your comments to: (1) Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 866, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, and (2) Clearance Officer, OIRM, USDA, room 404-W, 14th Street and Independence Avenue SW., Washington, DC 20250.

List of Subjects in 9 CFR Part 78

Animal diseases, Brucellosis, Cattle, Hogs, Quarantine, Transportation.

PART 78—BRUCELLOSIS

Accordingly, it is proposed to amend 9 CFR part 78 as follows:

1. The authority citation for part 78 would continue to read as set forth below:

Authority: 21 U.S.C. 111-114a-1, 114g, 115, 117, 120, 121, 123-126, 134b, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 78.1 [Amended]

2. In § 78.1, definition of "Approved intermediate handling facility", introductory text, first sentence, the words "and quarantined feedlots" would be added immediately after "establishments".

§ 78.1 [Amended]

3. In § 78.1, definition of "Approved intermediate handling facility", fifth sentence, the words "or a quarantined feedlot" would be added immediately after "establishment".

§ 78.1 [Amended]

4. In § 78.1, definition of "Approved intermediate handling facility", sixth sentence, paragraph (a), the words "for breeding cattle and breeding bison" would be added immediately after "facilities".

§ 78.1 [Amended]

4. In § 78.1, definition of "Approved intermediate handling facility", sixth sentence, paragraph (f), the words "or a quarantined feedlot" would be added immediately after "slaughter".

§ 78.1 [Amended]

6. In § 78.1, definition of "Certified brucellosis-free herd", paragraph (b) would be amended by removing the last sentence and by adding a new last sentence to read:

§ 78.1 Definitions.

Certified brucellosis-free herd.

(b) * * * A herd decertified because a brucellosis reactor is found may be recertified only by repeating the certification process, except that the herd certification may be reinstated without repeating the certification process if epidemiological studies and bacteriological cultures conducted by APHIS representatives or State representatives show that the herd was not infected with field strain *Brucella abortus*.

7. In § 78.1, definition of "Class Free State or area", paragraph (c) would be revised to read as follows:

§ 78.1 Definitions.

Class Free State or area.

(c) *MCI reactor prevalence rate.* (1) To attain classification as Class Free, the State or area must maintain a 12 consecutive month MCI reactor prevalence rate not to exceed 1 brucellosis reactor per 2,000 cattle tested (0.050 percent).

(2) For retention of Class Free status, the State or area must maintain a 12 consecutive month MCI reactor prevalence rate not more than 10 percent greater than that for the previous 12 month period, except that this rate may not equal or exceed the MCI reactor prevalence rate for Class A status, as set forth in paragraph (c) of the definition of "Class A State or area" in this section.

(3) For purposes of State or area classification, cattle that are not official vaccinates and that are positive to the standard card test, and officially

vaccinated cattle positive to the Rivanol test at 1:25 serum titer or greater, will be counted as MCI reactors. The MCI reactor prevalence rate is a rate of infection in the cattle population based on the percentage of brucellosis reactors found in the MCI test cattle. For initial classification as a Class Free State or area, the MCI reactor prevalence rate is adjusted for out-of-State and out-of-area cattle, recordkeeping errors, and cattle traced to herds with negative herd blood tests. For retention of Class Free status, the MCI reactor prevalence rate is adjusted for out-of-State and out-of-area cattle, and for recordkeeping errors. Special consideration of a State or area MCI reactor prevalence rate will be permitted when it is affected by unusual marketing conditions.

§ 78.1 [Amended]

8. In § 78.1, definition of "Market cattle identification test cattle", first sentence, the words "quarantined feedlots," would be added immediately after the word "stockyards,".

§ 78.1 [Amended]

9. In § 78.1, definition of "Market cattle identification test cattle", second sentence, the words "quarantined feedlot," would be added immediately after the word "stockyard,".

§ 78.1 [Amended]

10. In § 78.1, definition of "Official calfhood vaccinate", paragraph (a)(1), the words "3 billion" would be removed, and the words "2.7 billion" would be added in their place.

§ 78.1 [Amended]

11. In § 78.1, definition of "Official test", paragraphs (a)(1) introductory text and (a)(1)(i)(C) would be revised, and new paragraphs (a)(1)(i)(C)(1) and (2) would be added, to read as follows:

§ 78.1 Definitions.

Official test. (a) * * *

(1) *Standard card test.* (i) * * *

(C) In specifically approved stockyards when the State animal health official either:

(1) Designates the standard card test as the official test for classifying reactors in all specifically approved stockyards in the state; In these States, no other official test except the Buffered Acidified Plate Antigen test shall be used in specifically approved stockyards; or

(2) Designates the standard card test as the official test for non-vaccinated cattle or bison, and designates the Standard plate test, Rivanol test, and/or

the CITE® test as supplemental diagnostic tests on officially vaccinated cattle or bison that test positive to the standard card test. If supplemental tests are conducted, officially vaccinated cattle or bison that are positive to the standard card test shall be classified as suspects if all the supplemental tests run disclose a negative or suspect reaction, and shall be classified as reactors if any one of the supplemental tests run has a reactor test result; or

§ 78.1 [Amended]

12. Section 78.1, definition of "Permit", third sentence, the words "the approved intermediate handling facility" would be removed, and the words "the approved intermediate handling facility, a quarantined feedlot," would be added in their place.

§ 78.1 [Amended]

13. In § 78.1, definition of "Permit", fourth sentence, the words "If such a permit lists a recognized slaughtering establishment" would be removed, and the words "If such a permit lists a quarantined feedlot or a recognized slaughtering establishment" would be added in their place.

§ 78.1 [Amended]

14. In § 78.1, definition of "Permit", fourth sentence, the words "to the quarantined feedlot or" would be added immediately after "cattle or bison".

§ 78.1 [Amended]

15. In § 78.1, definition of "Quarantined feedlot", the words "then directly to a recognized slaughtering establishment" would be removed, and the words "then directly to another quarantined feedlot or a recognized slaughtering establishment" would be added in their place in paragraph (a)(2) and in paragraph (a)(5).

§ 78.1 [Amended]

16. In § 78.1, definition of "Quarantined pasture", the ninth sentence would be revised to read as follows:

§ 78.1 Definitions.

Quarantined pasture. * * * All cattle and bison, except steers and spayed heifers, leaving the quarantined pasture must move directly to a recognized slaughtering establishment or quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to

a recognized slaughtering establishment. * * *

17. In § 78.1, a definition of "Rodeo bulls" would be added, in alphabetical order, to read as follows:

§ 78.1 Definitions.

Rodeo bulls. Male cattle kept solely for performance at rodeos.

§ 78.1 [Amended]

18. In § 78.1, definition of "S" brand permit", fifth sentence, the words "either the approved intermediate handling facility or a recognized slaughtering establishment" would be removed, and the words "either the approved intermediate handling facility, a quarantined feedlot, or a recognized slaughtering establishment" would be added in their place.

§ 78.1 [Amended]

19. In § 78.1, definition of "S" brand permit", sixth sentence, the words "If such an 'S' brand permit lists a recognized slaughtering establishment" would be removed, and the words "If such an 'S' brand permit lists a quarantined feedlot or a recognized slaughtering establishment" would be added in their place.

§ 78.1 [Amended]

20. In § 78.1, definition of "S" brand permit", sixth sentence, the words "from the approved intermediate handling facility to the quarantined feedlot or" would be added immediately after "cattle and bison".

§ 78.1 [Amended]

21. In § 78.1, definition of "S" brand permit", a seventh sentence would be added to read:

§ 78.1 Definitions.

"S" brand permit.

* * * Subsequent movements from the quarantined feedlot shall be subject to the permit requirements set forth in the definition of "quarantined feedlot" in this part.

22. In § 78.8, paragraph (b), the introductory text would be revised to read as follows:

§ 78.8 Brucellosis exposed cattle.

(b) *Movement to quarantined feedlot.* Brucellosis exposed cattle for which no claim for indemnity is being made by the owner under Part 51 of this chapter may be moved interstate directly to a

quarantined feedlot, or from a farm of origin directly to a specifically approved stockyard approved to receive brucellosis exposed cattle and then directly to a quarantined feedlot, or from a farm of origin directly to an approved intermediate handling facility and then directly to a quarantined feedlot, or from a farm of origin directly to a specifically approved stockyard approved to receive brucellosis exposed cattle and then directly to an approved intermediate handling facility and then directly to a quarantined feedlot, if the cattle are:

23. In § 78.9, paragraphs (a)(2), (b)(2)(i), (c)(2)(i)(B), and (d)(2)(i)(B) would be revised, and paragraphs (c)(2)(i)(C) and (d)(2)(i)(C) would be added, to read as follows:

§ 78.9 Cattle from herds not known to be affected

(a) * * *

(2) *Movement to quarantined feedlots.* Such cattle may be moved interstate without restriction under this subpart directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to an approved intermediate handling facility and then directly to a quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot.

(b) * * *

(2) *Movement to quarantined feedlots.* (i) Such cattle may be moved interstate from a farm of origin directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to an approved intermediate handling facility and then directly to a quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot, if identity to the farm of origin is maintained by means of identification tag numbers appearing on sale records showing the consignor or by penning cattle from one farm or state or area apart from other animals.

(c) * * *

(2) * * *

(i) * * *

(B) A specifically approved stockyard and then directly to a quarantined feedlot or directly to an approved intermediate handling facility and then

directly to a quarantined feedlot, if the cattle are "S" branded upon arrival at the specifically approved stockyard and are accompanied to the quarantined feedlot by an "S" brand permit; or

(C) An intermediate handling facility and then directly to a quarantined feedlot, if the cattle are "S" branded upon arrival at the intermediate handling facility and are accompanied to the quarantined feedlot by an "S" brand permit.

(d) * * *

(2) * * *

(i) * * *

(B) A specifically approved stockyard and then directly to a quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot, if the cattle are "S" branded upon arrival at the specifically approved stockyard and are accompanied to the quarantined feedlot by an "S" brand permit; or

(C) An intermediate handling facility and then directly to a quarantined feedlot, if the cattle are "S" branded upon arrival at the intermediate handling facility and are accompanied to be quarantined feedlot by an "S" brand permit.

24. In § 78.10, the first sentence in paragraph (a) and the first sentence in paragraph (b) would be revised to read as follows:

§ 78.10 Official vaccination of cattle moving into and out of Class B and Class C states or areas.

(a) Female dairy cattle born after January 1, 1984, which are 4 months of age or over must be official vaccinates to move interstate into or out of a Class B State or area ⁴ unless they are moved interstate directly to a recognized slaughtering establishment or quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment.

(b) Female cattle born after January 1, 1984, which are 4 months of age or over must be official vaccinates to move into a Class C State or area ⁴ unless they are moved interstate directly to a

recognized slaughtering establishment, or directly to an approved intermediate handling facility and then directly to a recognized slaughtering establishment, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment.

* * *

§ 78.11 [Amended]

25. In § 78.11, paragraph (b), the words "or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment" would be added immediately after the word "establishment".

§ 78.12 [Amended]

26. In § 78.12, paragraph (d)(1)(ii), the words "or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment" would be added immediately after the word "establishment".

§ 78.12 [Amended]

27. In § 78.12, paragraph (d)(1)(iii), the words "or directly to an approved intermediate handling facility and then directly to a quarantined feedlot and then directly to a recognized slaughtering establishment" would be added immediately after the word "establishment".

28. In § 78.12, paragraph (d)(2)(i) would be revised to read as follows:

§ 78.12 Cattle from quarantined areas.

(d) * * *

(2) * * *

(i) Cattle from qualified herds in a quarantined area may be moved interstate from a farm or origin directly to a quarantined feedlot, or directly to a specifically approved stockyard and then directly to a quarantined feedlot, or directly to an approved intermediate handling facility and then directly to a quarantined feedlot if they are negative to an official test within 30 days prior to such interstate movement and are accompanied by a certificate which states, in addition to the items specified in § 78.1, the test dates and results of the official tests; or

29. A new § 78.14 would be added to read as follows:

§ 78.14 Rodeo bulls.

(a) A rodeo bull that is otherwise test-eligible and that is from a herd not

known to be affected may be moved interstate if:

(1) The bull is tested negative to an official test less than 365 days before the date of movement;

(2) The bull is individually identified with an official eartag;

(3) There is no change of ownership;

(4) A certificate accompanies each movement; and

(5) The bull is issued a permit for entry prior to each movement interstate.

(b) A bull that would otherwise qualify as a rodeo bull, but that is used for breeding purposes during the 365 days following the date of being tested, may move interstate only if it otherwise meets the testing requirements for test-eligible cattle in this subpart.

(Approved by the Office of Management and Budget under control number 0579-0047)

§ § 78.1, 78.2, 78.7, 78.8, 78.9, 78.11, 78.12, 78.22, 78.23, 78.24, 78.31, and 78.32 [Amended]

30. In addition to the amendments set forth above, § § 78.1, 78.2, 78.7, 78.8, 78.9, 78.11, 78.12, 78.22, 78.23, 78.24, 78.31, and 78.32 would be amended by revising the OMB control number citation at the end of each of these sections to read as follows: "(Approved by the Office of Management and Budget under control number 0579-0047)".

Done in Washington, DC, this 19th day of September 1990.

James W. Glosser,
Administrator, Animal and Plant Health
Inspection Service.

[FR Doc. 90-22572 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-34-M

7 CFR Part 360

[Docket No. 90-156]

Noxious Weeds; Notice of Public Meetings

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of public meetings; request for comments.

SUMMARY: We are announcing that two public meetings will be held to obtain information concerning whether melaleuca should be designated as a Federal noxious weed.

DATES: Consideration will be given only to comments received on or before November 24, 1990. The public meetings will be held on October 29, 1990, in Fort Lauderdale, Florida, and on October 31, 1990, in San Francisco, California.

ADDRESSES: To help ensure that your written comments are considered, send

⁴ Female cattle imported into the United States may be exempt from the vaccination requirements of this paragraph with the concurrence of the State animal health official of the State of destination. This concurrence is required prior to importation of the cattle into the United States.

an original and three copies to Regulatory Analysis and Development, PPD, APHIS, USDA, Room 866, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket Number 90-158. Comments received may be inspected at USDA, Room 1141, South Building, 14th and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

The public meetings will be held in Room 422 of the Broward County Governmental Center, 115 South Andrews Avenue, Fort Lauderdale, Florida, on October 29, 1990; and in Room 1415, 630 Sansome Street, San Francisco, California, on October 31, 1990.

FOR FURTHER INFORMATION CONTACT: Thomas G. Flanagan, Operations Officer, Domestic and Emergency Operations, Plant Protection and Quarantine, APHIS, USDA, Room 646, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8247.

SUPPLEMENTARY INFORMATION: Florida has requested that the Animal and Plant Health Inspection Service (APHIS) add *Melaleuca quinquenervia* (cav.) (referred to below as melaleuca) to the list of noxious weeds in 7 CFR part 360. This action would give APHIS authority to regulate the interstate movement of melaleuca and to cooperate with Florida State authorities in managing this plant.

Section 3 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2802(c)) defines a noxious weed as any living stage of any parasitic or other plant of a kind, or subdivision of a kind, which is of foreign origin, is new to or not widely prevalent in the United States, and can directly or indirectly injure crops, other useful plants, livestock, or poultry or other interests of agriculture, including irrigation, or navigation or the fish and wildlife resources of the United States or the public health.

Under section 4 of the Federal Noxious Weed Act of 1974 (7 U.S.C. 2803) and the Noxious Weed Regulations (7 CFR part 360, referred to below as the regulations), a listed noxious weed may be moved into or through the United States only pursuant to a written permit. The regulations provide for the issuance of a written permit only upon a determination that the movement of the noxious weed would not involve a danger of dissemination of the noxious weed in the United States.

Before making a decision concerning Florida's request, we feel it necessary to gather public input concerning whether melaleuca should be added to the list of

noxious weeds. We are therefore soliciting written comments and scheduling two public meetings.

Background

Melaleuca was introduced into Florida in the early 1900's. During the 1940's, hundreds of thousands of seedlings were planted to provide erosion protection for the Lake Okeechobee levee project. By the 1950's, melaleuca was in widespread use by the landscape industry in southern Florida. It is also found in California, Hawaii, Texas and Puerto Rico.

In addition to its erosion prevention capabilities, this fast-growing plant was valued for its use as a natural fence and windbreak, for its wood, and for its ornamental characteristics. Melaleuca remains in wide use by the nursery and landscaping industries. Beekeepers also value melaleuca; Florida has become a haven for overwintering bees due to the food that melaleuca supplies when many other plants are not flowering.

In recent years, however, concern has arisen in South Florida that the continued, uncontrolled spread of melaleuca may eventually destroy the Everglades, eliminate certain rare, threatened, and endangered plant and animal species; and impact future water supplies. Melaleuca now covers approximately 1.5 million acres in southern Florida, and control measures have begun at the local, regional and State levels to manage its spread.

Public Meeting Procedures

An APHIS representative will preside at the meetings, where comments will be heard concerning any issue relevant to the subject of adding melaleuca to the list of noxious weeds. Interested persons may appear and be heard in person, by attorney, or other representative. Each meeting will begin at 10 a.m. and end at 5 p.m., local time; however, the meetings may end earlier if all persons desiring to speak have been heard. Persons who wish to speak should register before the meeting. Pre-meeting registration will be conducted at each meeting location from 9:30 a.m. to 10 a.m. on the meeting date. Registered persons will be heard in the order of registration. Unregistered persons who wish to speak will be afforded the opportunity after the registered persons have been heard. Since the time for each speaker may be limited, speakers are encouraged to submit written comments and to summarize these comments at the public meetings.

We will consider all comments received during the comment period and at the public meetings. Following the comment period and the public

meetings, we will decide whether to issue a rule proposing to add melaleuca to the list of noxious weeds. If a rule is proposed, it would appear in a subsequent issue of the *Federal Register* and would invite further comment on the subject. Also, if requested by any interested person, we would hold a public hearing on the proposal.

Authority: Secs. 4, 10; 88 Stat. 2149, 2151; 7 U.S.C. 2803, 2809; 41 FR 4251.

Done in Washington, DC, this 19th day of September 1990.

James W. Glosser,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 90-22581 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 90-ASW-25]

Proposed Revision of Control Zones: McAlester, OK and Tulsa, OK

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposal rule; withdrawal.

SUMMARY: This action withdraws the Notice of Proposed Rulemaking (NPRM) which proposed the revision of the McAlester and Tulsa, OK, Control Zones. The NPRM is being withdrawn as a result of a reevaluation of applicable data.

DATES: The withdrawal is effective September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Mark F. Kennedy, System Management Branch, Air Traffic Division, Southwest Region, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone (817) 624-5561.

SUPPLEMENTARY INFORMATION:

The Proposed Rule

On June 7, 1990, a Notice of Proposed Rulemaking was published in the *Federal Register* to revise the control zones at McAlester and Tulsa, OK (55 FR 23233). The proposal was intended to provide a means to inform airport users of temporary losses of basic services provided within control zones.

Conclusion

The FAA received no comments to the proposed rule. However, after a reevaluation of all applicable data, the FAA has determined that present

regulations provide sufficient means for informing users of a temporary loss of basic services provided within a full-time control zone. The control zones at McAlester and Tulsa, OK, are designated as full-time, and statements included in a control zone designation to inform users when control zones would not be in effect would be applicable only for those control zones designated as part-time.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Withdrawal of Proposed Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 90-ASW-25, as published in the *Federal Register* on June 7, 1990 (55 FR 23233), is hereby withdrawn.

Authority: 49 U.S.C. 1348(a), 1354(a) 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

Issued in Fort Worth, TX, on September 4, 1990.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 90-22423 Filed 9-23-90; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 90-ASW-23]

Proposed Revision of Control Zones: Albuquerque, NM and Roswell, NM

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Proposal rule; withdrawal.

SUMMARY: This action withdraws the Notice of Proposed Rulemaking (NPRM) which proposed the revision of the Albuquerque and Roswell, NM, Control Zones. The NPRM is being withdrawn as a result of a reevaluation of applicable data.

DATES: The withdrawal is effective September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Mark F. Kennedy, System Management Branch, Air Traffic Division, Southwest Region, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0530, telephone (817) 624-5561.

SUPPLEMENTARY INFORMATION:

The Proposed Rule

On June 8, 1990, a Notice of Proposed Rulemaking was published in the *Federal Register* to revise the control zones at Albuquerque and Roswell, NM, (55 FR 23233). The proposal was

intended to provide a means to inform airport users of temporary losses of basic services provided within control zones.

Conclusion

The FAA received no comments to the proposed rule. However, after a reevaluation of all applicable data, the FAA has determined that present regulations provide sufficient means for informing users of a temporary loss of basic services provided within a full-time control zone. The control zones at Albuquerque and Roswell, NM, are designated as full-time, and statements included in a control zone designation to inform users when control zones would not be in effect would be applicable only for those control zones designated as part-time.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones.

Withdrawal of Proposed Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 90-ASW-23, as published in the *Federal Register* on June 8, 1990 (55 FR 23448), is hereby withdrawn.

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

Issued in Fort Worth, TX, on September 5, 1990.

Larry L. Craig,

Manager, Air Traffic Division, Southwest Region.

[FR Doc. 90-22422 Filed 9-21-90; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 946

Virginia Regulatory Program; Coal Surface Mining Reclamation Fund Special Assessment

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing receipt of a proposed amendment to the Virginia permanent regulatory program (hereinafter, the Virginia program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment pertains to changes in Virginia's Coal Surface Mining Reclamation Fund (hereinafter, Pool Bond Fund). The amendment is

intended to strengthen the Pool Bond Fund's assets by assessing each participating permit a one time fee of five hundred dollars.

This notice sets forth the times and locations that the Virginia program and proposed amendment to the program are available for public inspection, the comment period during which interested parties may submit written comments on the proposed amendment, and the procedures that will be followed regarding the public hearing, if one is required.

DATES: Written comments must be received on or before 4:00 p.m. on October 24, 1990. If requested, a public hearing on the proposed amendment will be held on October 19, 1990; requests to present testimony at the hearing must be received on or before 4 p.m. October 9, 1990.

ADDRESSES: Written comments and requests to testify at the hearing should be mailed or hand delivered to Mr. W. Russell Campbell, Deputy Director, Big Stone Gap Field Office at the first address listed below. If a hearing is requested, it will be held at the same address.

Copies of the Virginia program, proposed amendments and all written comments received in response to this notice will be available for review at the locations listed below during normal business hours Monday through Friday, excluding holidays. Each requestor may receive, free of charge, one single copy of the proposed amendment by contacting the OSM Big Stone Gap Field Office.

Office of Surface Mining Reclamation and Enforcement, Big Stone Gap Field Office, P.O. Drawer 1216, Powell Valley Square Shopping Center, Room 220, Route 23, Big Stone Gap, Virginia 24219, Telephone (703) 523-4303. Virginia Division of Mined Land Reclamation, P.O. Drawer U, 622 Powell Avenue, Big Stone Gap, Virginia 24219, Telephone (703) 523-8100.

FOR FURTHER INFORMATION CONTACT: Mr. W. Russell Campbell, Deputy Director, Big Stone Gap Field Office, Telephone (703) 523-4303.

SUPPLEMENTARY INFORMATION:

I. Background

The Secretary of the Interior approved the Virginia program on December 15, 1981. Information pertinent to the general background and revisions to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the

conditions of approval can be found in the December 15, 1981 Federal Register (46 FR 61085-61115). Subsequent actions concerning the conditions of approval and proposed amendments are identified at 30 CFR 946.12, 946.13, 946.15 and 946.16.

II. Discussion of Amendments

By letter dated August 31, 1990, (Administrative Record No. VA-760) Virginia submitted a proposed amendment to its program pursuant to SMCRA. The intent of the amendment is to strengthen the Pool Bond Fund's assets by assessing each participating permit a one time fee of five hundred dollars. Virginia has already adopted the changes at Section 45.1-270.4:1 of the Code of Virginia. The effective date of the State legislation was July 1, 1990. OSM does not recognize these changes as part of the approved program until the proposed amendment is processed by OSM and a decision is rendered either approving or disapproving the amendment.

The proposed changes are reprinted below.

The Code of Virginia is amended by adding a section numbered

45.1-270.4:1 as follows:

45.1-270.4:1 Special Assessment.—A. In addition to the tax assessed pursuant to 45.1-270.4 and in order to ensure Fund solvency, the Commissioner of the Division of Mined Land Reclamation may require each permittee to pay any special assessment made pursuant to subsection B of this section.

B. On and after July 1, 1990, the Commissioner of the Division of Mined Land Reclamation shall assess each permit in the Fund the amount of five hundred dollars. This assessment shall be made only one time and all revenues collected shall be applied to the balance of the Fund. The permittee shall be responsible for payment of the assessment.

C. Failure to tender moneys assessed pursuant to the provisions of this statute within thirty calendar days of assessment shall constitute a violation of the Virginia Coal Surface Mining Control and Reclamation Act.

III. Public Comments Procedures

In accordance with the provisions of 30 CFR 732.17(h), OSM is now seeking comment on whether the amendments proposed by Virginia satisfy the applicable program approval criteria of 30 CFR 732.15. If the amendments are deemed adequate, they will become part of the Virginia program.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under "DATES" or at locations other than the Big Stone Gap Field Office will not necessarily be considered in the final rulemaking or included in the Administrative Record.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under "FOR FURTHER INFORMATION CONTACT" by close of business on October 9, 1990. If no one requests an opportunity to comment at a public hearing, the hearing will not be held.

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment, and who wish to do so, will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audience who wish to comment have been heard.

Public Meeting

If only one person requests an opportunity to comment at a hearing, a public meeting, rather than a public hearing, may be held.

Persons wishing to meet with OSM representatives to discuss the proposed amendments may request a meeting at the Big Stone Gap Field Office by contacting the person listed under "FOR FURTHER INFORMATION CONTACT". All such meetings will be open to the public and, if possible, notices of meetings will be posted in advance at the locations listed under "ADDRESSES". A written summary of each public meeting will be made part of the Administrative Record.

List of Subjects in 30 CFR Part 946

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

Dated: September 12, 1990.

Carl C. Close,

Assistant Director, Eastern Field Operations.

[FR Doc. 90-22472 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 21

RIN 2900-AE56

Statutory Changes Affecting the Vocational Rehabilitation Program

AGENCY: Department of Veterans Affairs.

ACTION: Proposed regulatory amendments.

SUMMARY: The Veterans' Benefits Amendments of 1989 eliminate requirements for reducing payment of an allowance to veterans in non-college degree programs when the veteran is absent for more than 30 days during a 12-month period. In addition the provisions for work-study allowances are amended to allow the Secretary of Veterans Affairs to base payment on the higher of the Federal minimum wage or the State minimum wage, enable veterans pursuing training on a three-quarter or greater rate to participate in the work-study program, and make certain other changes. The intended effect of these proposed regulatory amendments is to implement the provisions of the law.

DATES: Comments must be received on or before October 24, 1990. The changes affecting work-study allowances are proposed to be effective May 1, 1990, as specified in the statute. Proposed amendments concerning leaves of absence will be effective December 18, 1989, the date of enactment.

ADDRESSES: Interested persons are invited to submit written comments, suggestions or objections to the Secretary of Veterans Affairs (271A), Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) until November 5, 1990.

FOR FURTHER INFORMATION CONTACT: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Vocational Rehabilitation and Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Ave. NW., Washington, DC 20420, 202-233-6496.

SUPPLEMENTARY INFORMATION: Under the law veterans who are pursuing programs of education or training may be eligible for work-study allowance benefits. Veterans may participate in

this program by agreeing to perform certain types of services. Public Law 101-237, the Veterans' Benefits Amendments of 1989, makes the following changes in this program.

1. The name of the program is changed from "Veteran-Study Services" to "Work-Study Allowance."

2. Veterans pursuing training at a ¾ time or greater rate are eligible for work-study allowances;

3. VA is given discretion to pay work-study allowances at the higher of the federal minimum wage or the minimum wage of the state in which the veteran is pursuing a vocational rehabilitation program;

4. The maximum number of hours a student may work during an enrollment period is limited to 25 times the number of weeks in the student's enrollment period.

Public Law 101-237 eliminates the statutory provision requiring reduction of subsistence allowance payments to students pursuing non-college degree programs if the student exceeds 30 days of absence in a 12-month period. Existing regulations governing the authorization of leaves of absence for persons pursuing a vocational rehabilitation program have provided authority to grant additional absences of up to 15 days for persons pursuing college degree programs. In view of the abolition of the 30-day absence limitation imposed on those pursuing non-college degree training, VA is amending the regulations to extend the additional leave authority of 15 days to cases involving all types of training, including those training in non-college degree programs.

VA has determined that these proposed regulations do not contain a major rule as that term is defined in Executive Order 12291, Federal Regulation. The proposal will not have a \$100 million annual effect on the economy, will not cause a major increase in costs or prices, and will not have any other significant adverse effects on the economy.

The proposed regulatory amendments are retroactively effective. Proposed amendments affecting leaves of absence for veterans in non-college degree programs are effective December 18, 1989, the date of enactment. Proposed amendments to the work-study program are effective May 1, 1990, as provided by section 406, Public Law 101-237. These are interpretive rules which implement statutory provisions.

Moreover, VA finds that good cause exists for making these rules retroactively effective. A delayed effective date would be contrary to

statutory design; would complicate implementation of this provision of law; and might result in a denial of a benefit to a veteran who is entitled by law to that benefit.

The Secretary certifies that these proposed amendments will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA) 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), these proposed rules are therefore exempt from the initial and final flexibility analyses requirements of sections 603 and 604. The reasons for this certification are that the proposed amendments only affect the rights of individual beneficiaries. No new regulatory burdens are imposed on small entities by these amendments.

The Catalog of Federal Domestic Assistance number is 64.116.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: August 30, 1990.

Edward J. Derwinski,
Secretary of Veterans Affairs.

38 CFR part 21, Vocational Rehabilitation and Education is proposed to be amended as follows:

PART 21—[AMENDED]

1. In § 21.272 paragraphs (a) and (d) through (f) are revised to read as follows:

§ 21.272 Work-study allowance.

(a) *Eligibility.* Veterans who are pursuing a rehabilitation program under chapter 31 on a three-quarter or full-time basis are eligible to receive a work-study allowance.

(Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.)

* * * * *

(d) *Rate of payment.* (1) In return for the veterans' agreement to perform services for VA totaling 25 times the number of weeks contained in an enrollment period, VA will pay an allowance equal to the higher of:

(i) The hourly minimum wage in effect under section 6(a) of the Fair Labor Standards Act of 1938 times the number of hours the veteran has agreed to work; or

(ii) The hourly minimum wage under comparable law of the State in which the services are to be performed times the number of hours the veteran has agreed to work.

(2) VA will pay proportionately less to a veteran who agrees to perform a lesser number of hours of services.

(Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.)

(e) *Payment in advance.* VA will pay in advance an amount equal to 40 percent of the total amount payable under the contract.

(Authority: 38 U.S.C. 1504(a)(4), 1685.)

(f) *Veteran reduces rate of training.* In the event the veteran reduces his or her training to less than three-quarter time before completing an agreement, the veteran, with the approval of the Director of the VA field station, or designee, may be permitted to complete the portions of an agreement in the same or immediately following term, quarter or semester in which the veteran ceases to be at least a three-quarter time student.

(Authority: 38 U.S.C. 1504(a)(4), 1685, Pub. L. 101-237.)

* * * * *

§ 21.342 [Amended]

2. In § 21.342, remove the words "offered by an institution of higher learning which leads to a standard college degree" from paragraph (b) and add "; Pub. L. 101-237" after "38 U.S.C. 1510" in the authority citation at the end of the section.

§ 21.344 [Amended]

3. In § 21.344, remove the words "for a veteran in a program leading to a standard college degree" from paragraph (c)(2) and add "; Pub. L. 101-237" after "38 U.S.C. 1510" in the authority citation at the end of the section.

[FR Doc. 90-22371 Filed 9-21-90; 8:45 am]

BILLING CODE 8320-01-M

38 CFR Part 21

RIN 2900-AE55

Vocational Rehabilitation Program; Payment of Subsistence Allowance

AGENCY: Department of Veterans Affairs.

ACTION: Proposed regulatory amendments.

SUMMARY: The Veterans' Benefits Amendments of 1989 provide for an increase of 7.5 percent in the subsistence allowance rates for service-disabled veterans pursuing a rehabilitation program. The intended effect of these proposed regulatory

amendments is to implement the increase provided by law.

DATES: Comments must be received on or before October 24, 1990. Comments will be available for public inspection until November 5, 1990. The effective date of these proposed amendments will be January 1, 1990.

ADDRESSES: Interested persons are invited to submit written comments, suggestions, or objections regarding these changes to the Secretary of Veterans Affairs, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420. All written comments received will be available for public inspection only in the Veterans Services Unit, room 132 of the above address, between the hours of 8 a.m. and 4:30 p.m., Monday through Friday (except holidays) until November 5, 1990.

FOR FURTHER INFORMATION CONTACT: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Vocational Rehabilitation and Education Service, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW., Washington, DC 20420, 202-233-6496.

SUPPLEMENTARY INFORMATION: Public Law 101-237, the Veterans' Benefits Amendments of 1989, provides for a 7.5 percent increase in the subsistence allowance paid under the vocational rehabilitation program, effective January 1, 1990. In addition a provision under which a veteran could elect payment of subsistence allowance at the educational assistance rate paid under chapter 34 is deleted. VA may not pay

subsistence allowance at the chapter 34 educational assistance rate for training taken after December 31, 1989.

VA has determined that these proposed regulations do not contain a major rule as that term is defined in Executive Order 12291, Federal Regulations. The proposal will not have a \$100 million annual effect on the economy, will not cause a major increase in costs or prices, and will not have any other significant adverse effects on the economy.

It is proposed that these regulatory amendments will be made retroactively effective to January 1, 1990. These are interpretive rules which implement statutory provisions. Moreover, VA finds that good cause exists for making these rules, like the sections of law which they implement, retroactively effective to January 1, 1990. A delayed effective date would be contrary to statutory design; would complicate implementation of this provision of law; and might result in a denial of increased subsistence allowance to a veteran who is entitled by law to that benefit or payment of an allowance at the chapter 34 rate after the period during such payment may be made.

The Secretary certifies that these amendments will not, if promulgated, have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. Pursuant to 5 U.S.C. 605(b), these rules are therefore exempt from the initial and final regulatory flexibility analyses requirements of sections 603 and 604. The reason for this certification is that the amendments only affect the rights of

individual beneficiaries. No new regulatory burdens are imposed on small entities by these amendments.

The Catalog of Federal Domestic Assistance number is 64.116.

List of Subjects in 38 CFR Part 21

Civil rights, Claims, Education, Grant programs, Loan programs, Reporting requirements, Schools, Veterans, Vocational education, Vocational rehabilitation.

Approved: August 29, 1990.

Edwards J. Derwinski,
Secretary of Veterans Affairs.

38 CFR part 21, Vocational Rehabilitation and Education is proposed to be amended as follows:

PART 21—[AMENDED]

In § 21.260 paragraphs (a) and (b) are revised to read as follows:

§ 21.260 Subsistence allowance.

(a) *General.* A veteran in a rehabilitation program under chapter 31 will receive a monthly subsistence allowance at rates specified in paragraph (b) of this section, unless he or she has elected to receive payment at the rate of the monthly educational allowance paid under chapter 30 for similar training. See § 21.264 for election of payment at the chapter 30 rate and §§ 21.7136, 21.7137, and 21.7138 to determine the applicable rate.

(Authority: 38 U.S.C. 1508(a), 1508(f), 1662(e); Pub. L. 98-525.)

(b) *Rate of payment.* Subsistence allowance is paid at the following rates effective January 1, 1990.

Type of Program	Monthly rate of subsistence allowance			
	No dependent	One dependent	Two dependents	Add'l amt. for each dep. over two
Institutional: ¹				
Full-time	\$333	\$413	\$486	\$35
¾ time	250	310	364	27
½ time	167	207	244	18
Nonpay on-job training in a Federal agency; training in the home; vocational course in a rehabilitation facility or sheltered workshop; independent instructor:				
Full-time only	333	413	486	35
Nonpay work experience in a Federal agency:				
Full-time	333	413	486	35
¾ time	250	310	364	27
½ time	167	207	244	18
Farm cooperative; apprenticeship, nonpay on-job training or work experience in a state and local agency, or on-job training: ²				
Full-time only	291	352	405	26
Combination (institution and OJT) (Full-time only):				
Institutional greater than ¾ time	333	413	486	35
OJT greater than ¾ time	291	352	405	26
Non-farm cooperative (Full time only):				
Institutional	333	413	486	35
On-job	291	352	405	26
Improvement of rehabilitation potential:				
Full time only	333	413	486	35
Independent living; Extended evaluation:				
Full-time	333	413	486	35

Type of Program	Monthly rate of subsistence allowance			
	No dependent	One dependent	Two dependents	Add'l amt. for each dep. over two
¾ time	250	310	364	27
½ time	167	207	244	18
¼ time	84	103	121	10

¹ Measurement of rate of pursuit (21.4270-21.4275).

² For on-job training, subsistence allowance may not exceed the difference between the monthly training wage, exclusive of overtime, and the entrance journeyman wage for the veteran's objective.

(Authority: 38 U.S.C. 1508; Pub. L. 101-237.)

[FR Doc. 90-22372 Filed 9-21-90; 8:45 am]

BILLING CODE 8320-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FL-030; FRL-3833-4]

Approval and Promulgation of Implementation Plans Florida: Inspection/Maintenance

AGENCY: Environmental Protection Agency, Region IV.

ACTION: Proposed rule.

SUMMARY: EPA today proposes approval of a request by the State of Florida, through the Florida Department of Environmental Regulation (FDER), that a centralized vehicle Inspection/Maintenance (I/M) program be incorporated into the Florida State Implementation Plan (SIP). Vehicles in Florida ozone and carbon monoxide nonattainment areas would be required to participate in this program in order to renew registration. This plan has been submitted by the FDER in anticipation of continued non-attainment of the National Ambient Air Quality Standard (NAAQS) for Ozone. FDER analysis indicated that since the majority of the volatile organic compound (VOC) inventory in Florida results from vehicular emissions, an I/M program is an effective method of controlling these emissions. These regulations meet all EPA requirements and therefore EPA is proposing approval of the requested SIP revisions. The public is invited to submit written comments on this proposed action.

DATES: To be considered, comments must be submitted on or before October 24, 1990.

Written comments should be addressed to Dale Aspy of EPA, Region IV Air Programs Branch, at the address below.

ADDRESSES: Copies of the materials submitted by Florida may be inspected

at the following locations during normal business hours:

EPA Region IV, Air Programs Branch,
345 Courtland St., NE., Atlanta, GA
30365.

Florida Department of Environmental Regulation, 2600 Blair Stone Road,
Tallahassee, Florida 32399-2400.

FOR FURTHER INFORMATION CONTACT:
Dale Aspy at the above address or (404)
347-2864 (FTS257-2864).

SUPPLEMENTARY INFORMATION:

Background

On June 5, 1987, the Florida Legislature created the Motor Vehicle Emissions Study Commission. This was in response to two key issues: (1) Continued ozone nonattainment in various Florida counties; and (2) a Florida Department of Environmental Regulation study that demonstrated that over 70% of the emission of VOC's in Florida resulted from mobile sources. The Motor Vehicle Emission Study Commission was charged with the responsibility of making a recommendation on a program design that would be effective at both reducing vehicular emissions and protecting the health of the citizens of Florida.

The commission members visited various I/M programs throughout the country to evaluate alternative program designs. Public hearings were also conducted in the non-attainment counties to solicit citizen input. The Florida Motor Vehicle Study Commission delivered its report to Governor Bob Martinez on March 1, 1988. The report concluded that "A centralized, contractor-operator I and M program is best suited to Florida's needs." The report also addressed enforcement, compliance, fleets, waivers, and public education elements. The Department of Environmental Regulation was charged by the Florida Clean Outdoor Air Law to develop test procedures, regulations and emission standards. After a series of public hearings, the Florida Environmental Regulation Commission, on December 7, 1988, approved Florida Administrative Code, chapter 17-242, Mobile Source—Motor Vehicle Emission Standards and

Text Procedures Rule. This rule was adopted by the Florida D.E.R. by filing with the Florida Secretary of State on January 31, 1989. The Florida I/M program was scheduled to begin operation by March, 1990, or as soon thereafter as possible. Due to the required one year public information phase, to be conducted by the Florida Department of Motor Vehicles, the program will begin operation on January 2, 1991. All counties that are nonattainment for ozone or carbon monoxide will require the program. Currently, Dade, Broward, Palm Beach, Hillsborough, Pinellas, and Duval counties are designated as nonattainment for ozone. There are no counties designated as nonattainment for CO. The centralized, contractor run program will operate using an annual registration denial enforcement mechanism. Virtually all gas or diesel vehicles, 1975 and newer, that have a net vehicle weight less than 5,000 pounds, or a gross vehicle weight less than 10,000 pounds, must be tested yearly to renew registration. A three point anti-tampering check and "fast pass" idle emissions test will be conducted on each vehicle except those randomly selected for nitrogen oxides (NO_x) testing. The three components of the anti-tampering check are the catalytic converter, unvented fuel cap, and the fuel inlet restrictor. The "fast pass" test consists of measuring the exhaust emissions of a vehicle at idle with no load applied to the dynamometer. See Table 1 for the emission standards. Vehicles failing the idle test will be preconditioned in the loaded mode on a dynamometer, in which a specified resistance will be applied against the driving wheels. The vehicles will be immediately retested at idle. Passing this test and the anti-tampering check allows a vehicle owner to renew registration. Vehicles failing either portion of the I/M test can be retested at either the centralized testing location or at an approved decentralized retesting facility. These retesting facilities must meet all the requirements, including dynamometers, as the centralized facilities. A full tampering

check, including underhood components, must be conducted if the vehicle fails the initial three point tampering test.

The Florida program also requires that NO_x emissions data be gathered for information purposes only. Approximately one percent of all vehicles tested will be randomly selected for loaded mode and NO_x testing. The data that is collected will be shared with EPA to develop NO_x emission standards.

TABLE 1.—FLORIDA MOTOR VEHICLE EXHAUST EMISSIONS STANDARDS

Groups	Maximum emission concentrations	
	HC (ppm)	CO (percent)
Model Year		
Light duty vehicles:		
1975-1977.....	500	5.0
1978-1979.....	400	4.0
1980.....	300	3.0
1981+.....	220	1.2
Light duty trucks (GVWR of 6,000 pounds or less):		
1975-1977.....	500	6.0
1978-1979.....	450	5.0
1980.....	300	3.0
1981-1984.....	250	2.0
1985+.....	220	1.2
Light duty trucks (GVWR of 6,001 pounds to 10,000 pounds):		
1975-1977.....	750	6.5
1978-1979.....	600	5.5
1980.....	400	4.5
1981-1984.....	300	3.0
1985+.....	220	1.2

Proposed Action

The Florida I/M program meets all of the federal requirements. Therefore, EPA is today proposing to approve this revision to the Florida SIP.

Under 5 U.S.C. 605(b), I certify that this SIP revision will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 52

Intergovernmental relations, Air pollution control, Carbon monoxide, Hydrocarbons, Lead, Nitrogen dioxide, Ozone, Particulate matter, Sulfur oxides.

Note: Incorporation by reference of the Florida State Implementation Plan was approved by the Director of the Federal Register on July 1, 1982.

Dated: November 7, 1989.

Lee A. Deihns, III,

Acting Regional Administrator.

[FR Doc. 90-22548 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[A-1-FRL-3834-3]

Approval and Promulgation of Air Quality Implementation Plans; Maine; Phase I VOC Regulations

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the State of Maine. These revisions correct deficiencies in the State's volatile organic compound (VOC) regulations in response to EPA's May 25, 1988 Ozone SIP call. The intended effect of this action is to propose approval of revisions of Maine's SIP which incorporate the current federal reasonably available control technology (RACT) requirements for VOC. This action is being taken under section 110 of the Clean Air Act.

DATES: Comments must be received on or before October 24, 1990. Public comments on this document are requested and will be considered before taking final action on this SIP revision.

ADDRESSES: Comments may be mailed to Louis F. Gitto, Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, room 2313, JFK Federal Bldg., Boston, MA 02203. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours at the U.S. Environmental Protection Agency, Region I, room 2313, JFK Federal Bldg., Boston MA 02203 and the Bureau of Air Quality Control, Department of Environmental Protection, 71 Hospital Street, Augusta, ME 04333.

FOR FURTHER INFORMATION CONTACT: Lynne A. Hamjian, (617) 565-3250; FTS 835-3250.

SUPPLEMENTARY INFORMATION: On September 29, 1989 and December 5, 1989, the Maine Department of Environmental Protection (DEP) submitted revisions to its SIP. These revisions correct deficiencies in Maine's VOC regulations.

Background

On November 24, 1987, EPA published a proposed Post-1987 Policy for Ozone and Carbon Monoxide in the Federal Register. The policy stated that air quality monitors revealed continued exceedances of the ozone standard in parts of Maine and that EPA would issue a SIP call. (See 52 FR 45044.) A SIP call is a finding by EPA under section

110(a)(2)(H) of the Clean Air Act that the SIP does not provide for attainment by the required date, and thus amounts to a revocation for certain purposes of EPA's approval of the SIP and the attainment demonstration. Since publishing this notice, data from air quality monitors in Maine revealed exceedances of the Ozone standard during 1987, 1988, and 1989.

Based on the monitored ozone exceedances in Maine, EPA sent letters to the Governor of Maine on May 25, 1988 and November 8, 1988 informing him that the Maine SIP was substantially inadequate to achieve the national ambient air quality standard (NAAQS) for ozone in parts of Maine pursuant to section 110(a)(2)(H) of the Clean Air Act. EPA's letters requested that the Maine DEP respond in two phases. The first phase entails correcting deficiencies in Maine's existing SIP, adopting regulations previously required or committed to but never adopted, and updating the base year emissions inventory. The second phase will entail adopting additional measures when EPA publishes its final Post 1987 Policy Statement and/or Congress amends the Clean Air Act.

On June 16, 1988, EPA sent a SIP-call follow-up letter to the Maine Department of Environmental Protection (DEP) identifying specific technical inadequacies and inconsistencies in Maine's volatile organic compound (VOC) regulations. The follow-up letter also outlined specific deficiencies in three source-specific licenses for paper coating sources which were incorporated into the Maine SIP as part of its ozone attainment plan. The three sources are the following: S. D. Warren of Westbrook, Eastern Fine Paper of Brewer, and Pioneer Plastics of Auburn.

Maine's Revisions

In response to the first phase of EPA's SIP call and EPA's follow-up letter, Maine adopted revisions on August 10, 1988 and September 27, 1989 to its two existing VOC regulations: Chapter 111 "Petroleum Liquid Storage Vapor Control," and chapter 112 "Petroleum Liquid Transfer Vapor Recovery." The Maine DEP also amended its definition of VOC in chapter 100 "Definitions." In addition, Maine adopted a new regulation chapter 123 entitled "Paper Coater Regulation." The paragraphs below briefly summarize the changes in Maine's regulations.

Chapter 100—Definitions

In response to EPA's SIP call, Maine submitted a revised definition of VOC in chapter 100(76). This definition is

consistent with the current federal definition of VOC. It no longer includes a vapor pressure cut-off and it correctly lists the fifteen exempt compounds which EPA has determined to have negligible photochemical reactivity. EPA is approving this definition in the final rulemaking notice on Maine's New Source Review and Related Revisions which is a separate action.

Chapter 111—Petroleum Liquid Storage Vapor Control

In response to EPA's SIP call, the Maine DEP amended chapter 111 of its VOC regulations by adding recordkeeping requirements and language which clarifies the regulation to make existing requirements more easily enforceable. In addition, the Maine DEP chose to expand the applicability of this regulation from southern Maine to the entire State.

Chapter 112—Petroleum Liquids Transfer Vapor Recovery

In response to EPA's SIP call, the Maine DEP amended chapter 112 of its VOC regulations by adding definitions, gasoline storage and disposal requirements, instantaneous compliance requirements, and language which clarifies the regulation to make existing requirements more easily enforceable. In addition, the Maine DEP chose to expand the applicability of this regulation from southern Maine to the entire State.

Chapter 123—Paper Coater Regulation

In response to the deficiencies listed in EPA's SIP call for the three source-specific licenses for paper coaters in the existing SIP, the Maine DEP adopted a new paper coating regulation, chapter 123. This regulation includes emission limitations, compliance time frames, EPA test methods, recordkeeping requirements, reporting requirements, and monitoring provisions. In addition, the Maine DEP chose to expand regulation of paper coating sources from southern Maine to the entire State. Chapter 123 requires final compliance by October 3, 1990. This paper coater regulation will replace the three source-specific licenses for the following sources: S.D. Warren of Westbrook, Eastern Fine Paper of Brewer, and Pioneer Plastics of Auburn. Pursuant to the Maine DEP's request, EPA is proposing to withdraw the three licenses from Maine's SIP as of October 3, 1990 or the effective date of EPA's final action approving chapter 123 into Maine's SIP, whichever is later.

EPA has evaluated these revisions and found that the revisions correct the deficiencies listed in EPA's SIP call

follow-up letter. In addition, with the exception of the provisions discussed below, the revised regulations make Maine's VOC regulations consistent with the applicable EPA control techniques guidelines (CTGs) and the following Federal guidance documents: "Issues Relating to VOC Regulation Cutpoints, Deficiencies, and Deviations" (May 25, 1988), and "Recordkeeping Guidance Document for Surface Coating Operations and the Graphic Arts Industry" (EPA 340/1-88-003). Maine's regulations and EPA's evaluation are detailed in a memorandum dated February 7, 1990 entitled "Technical Support Document—Maine VOC Regulations." Copies of that document are available, upon request, from the EPA Regional Office listed in the ADDRESSES section of this notice.

Amendments Necessary Prior to Final Rulemaking

The definition of tank truck in chapter 112 includes an exemption for trucks with capacities of less than or equal to 3500 gallons. The Maine DEP stated that less than one percent of the total gasoline throughput is transferred by these "small capacity" tank trucks which the regulation exempts from control requirements. Therefore, EPA is proposing to approve this capacity cut-off. The Maine DEP must justify this cut-off with a 5 percent demonstration. In addition, the definition of tank truck is still unclear. Prior to final rulemaking, the Maine DEP must amend this definition to clarify that the 3500 gallon capacity cut-off in this definition applies to the total capacity of the tank truck or trailer including all of the compartments.

Chapter 112 (Maine's Bulk Gasoline Terminal Regulation) applies to sources in existence prior to December 31, 1978. This regulation does not apply to sources which have constructed after that date. The applicable new source performance standard (NSPS) for bulk terminals (40 CFR part 60, subpart XX) is applicable to sources which constructed or modified after December 17, 1980. The NSPS for bulk gasoline terminals is as stringent as the RACT requirements for bulk gasoline terminals. However, sources which constructed in the State of Maine after December 31, 1978 but before December 17, 1980 are not required to comply with RACT or the NSPS. Prior to final rulemaking, the Maine DEP must delete this cut-off from chapter 112(1)(B) or certify that there are no sources in the State of Maine which constructed during the time period indicated above.

EPA is proposing to approve the Maine SIP revisions provided that Maine makes the changes described in

this notice, and is soliciting public comments on the issues discussed in this notice or on other relevant matters. These comments will be considered before taking final action. Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Regional office listed in the

ADDRESSES section of this notice.

Proposed Action

EPA is proposing to approve chapter 111 "Petroleum Liquid Storage Vapor Control," chapter 112 "Petroleum Liquid Transfer Vapor Recovery," and chapter 123 "Paper Coater Regulation," with the understanding that prior to final rulemaking, the Maine DEP will revise chapter 112 of its regulations and submit the documentation required by this notice. In addition, EPA is proposing to withdraw from the Maine SIP three source-specific licenses for the following paper coating sources: S.D. Warren, Eastern Fine Paper, and Pioneer Plastics. The withdrawal will take effect as of October 3, 1990 or the effective date of EPA's final action approving chapter 123 into Maine's SIP, whichever is later. EPA is proposing approval on the condition that the Maine DEP will make the amendments outlined in this notice prior to final approval.

Under 5 U.S.C. 605(b), I certify that these SIP revisions will not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

The Administrator's decision to approve or disapprove these SIP revisions will be based on whether it meets the requirements of section 110(a)(2)(A)-(K) and 110(a)(3) of the Clean Air Act, as amended, and EPA regulations in 40 CFR part 51.

List of Subjects in 40 CFR Part 52

Air pollution control Hydrocarbons, Incorporation by reference, Intergovernmental relations, Ozone, Reporting and recordkeeping requirements.

Authority: 42 U.S.C. 7401-7642.

Dated: February 13, 1990.

Julie D. Belaga,
Regional Administrator, Region I.

[FR Doc. 90-22545 Filed 9-21-90; 8:45 a.m.]

BILLING CODE 6560-50-M

40 CFR Part 81

(GA-018; FRL-3834-2)

Designation of Areas for Air Quality Planning Purposes Georgia: Redesignation of a Georgia Carbon Monoxide Nonattainment Area

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: EPA today proposes to approve a March 21, 1989, request by the State of Georgia to redesignate the Atlanta carbon monoxide (CO) nonattainment area to attainment. The redesignation request is based on ambient air quality monitoring data from 1985 to 1988 and a fully implemented control strategy. The data show no violations of the CO National Ambient Air Quality Standards (NAAQS) have occurred since the end of 1985. The redesignation request is therefore proposed for approval, in accord with EPA policy.

DATES: The public is invited to submit written comments on this proposed action. To be considered, comments must be received by October 24, 1990.

ADDRESSES: Written comments should be addressed to Brenda Johnson of EPA Region IV's Air Programs Branch. (See EPA Region IV address below.) Copies of the materials submitted by Georgia may be examined during normal business hours at the following locations:

Environmental Protection Agency,
Region IV Air Programs Branch, 345
Courtland Street, Northeast, Atlanta,
Georgia 30365.

Georgia Department of Natural
Resources, 205 Butler Street,
Southeast, Suite 1252, Atlanta,
Georgia 30334.

FOR FURTHER INFORMATION CONTACT:

Brenda Johnson of the Region IV Air
Programs Branch at (404) 347-2864 or
FTS 257-2864 and at the above address.

SUPPLEMENTARY INFORMATION: In the
March 3, 1978, Federal Register notice
(43 FR 8962) the Atlanta area was
designated as nonattainment for carbon
monoxide (CO). The nonattainment area
consists of those portions of Clayton,
DeKalb, and Fulton Counties that exist
within the Interstate 285 highway
perimeter. In April 1979, the State of
Georgia submitted the initial CO SIP to
EPA. The CO plan projected that the
Atlanta nonattainment area could not
meet the standards by 1982. Under part
D of title I of the Clean Air Act (CAA),
Georgia requested and EPA approved
(January 24, 1980, 45 FR 5698) an
extension of the CO attainment deadline
until December 31, 1987. On April 1,
1982, a Reasonably Available Control
Technology (RACT) level inspection and
maintenance (I&M) program was
implemented in the Atlanta
nonattainment area as required for all
major CO extension areas. A CO SIP
revision was submitted by Georgia on
July 30, 1982. EPA fully approved the SIP
revision on November 10, 1982 (45 FR

51622). On March 21, 1989, the
Department of Natural Resources of the
State of Georgia requested that EPA
redesignate the Atlanta CO
nonattainment area to attainment.

Redesignation of a CO nonattainment
area requires the most recent eight
consecutive quarters of quality assured
ambient air quality data showing no
violations of the NAAQS. More than one
exceedance per year of the CO standard
(i.e., 9 parts per million (ppm) for an 8-
hour average concentration, and 35 ppm
for a 1-hour average concentration)
constitutes a violation (40 CFR 50.8
(1989)). In addition to maintaining the
CO standard, EPA redesignation policy
requires that the EPA approved control
strategy must be fully implemented. This
requires that transportation control
measures (TCMs) committed to in the
SIP and a RACT level I&M program,
where required, have been fully
implemented.

Georgia's redesignation request is
based on four years (1985 to 1988)
ambient air data from an EPA approved
CO monitoring network. The monitor
sites and their Air Information Retrieval
System numbers are Midtown (13-121-
0050), Peachtree Center (13-121-0051),
Brookwood (13-121-0052), and DeKalb
Tech (13-089-1002). The monitoring data
indicate that a CO violation has not
occurred since the end of 1985. The
maximum and second highest CO
readings for each year and station are
summarized in Table I.

TABLE I

	1985		1986		1987		1988	
	Max	2nd	Max	2nd	Max	2nd	Max	2nd
1-Hour Average (ppm)								
Midtown.....	7.5	7.5	9.7	8.2	8.8	8.5	10.0	8.8
Ptree Center.....	18.9	17.1	17.8	12.7	11.3	9.5	19.5	17.5
Brookwood.....	14.4	13.0	15.9	11.9	11.8	11.7	11.3	10.4
DeKalb Tech.....	7.5	7.0	10.2	9.7	9.0	8.5	9.8	9.0
8-Hour Averages (ppm)								
Midtown.....	5.6	5.5	5.8	5.5	6.7	6.2	6.3	5.9
Ptree Center.....	10.3	9.4	8.9	8.2	6.3	6.0	9.2	8.0
Brookwood.....	6.1	6.0	7.0	6.3	6.4	6.0	6.0	5.6
DeKalb Tech.....	6.1	5.5	6.0	5.9	7.2	5.9	5.7	5.3
			Percent	Data Recovery	1985	1986	1987	1988
Midtown.....			97.4	96.9		93.1		94.0
Ptree Center.....			95.0	91.4		81.7		98.5
Brookwood.....			89.9	98.2		93.3		97.5
DeKalb Tech.....			96.1	95.4		99.0		98.3

In addition to the monitoring data, the attainment demonstration from the State of Georgia included the implementation of the part D control strategy approved by EPA (February 3, 1983, 48 FR 5038). The SIP required a CO emission reduction of 44% from the 1980 base year emission level of 279,040 tons per year (tpy). These emission reductions were projected to be achieved from the Federal Motor Vehicle Control Program (FMVCP), an I&M program and various TCMs.

The FMVCP is a program that has been instituted nationwide by EPA to reduce emissions from vehicles. It has been very successful in reducing CO emissions due to the installation of emission controls in new vehicles. The gradual replacement of older vehicles with newer cleaner ones has resulted in significant reductions in CO emissions.

All major urban areas that needed an extension beyond 1982 to attain the CO standard were required to implement a vehicle I&M program as a part of the control strategy. The Georgia RACT level I&M program was approved by EPA on January 24, 1980 (45 FR 5698) and has been in operation since April 1, 1982, in the Atlanta nonattainment area. On April 1, 1985 Gwinnett County was added after meeting the requirements for participation in the program. The I&M program is achieving its designed emission reductions and the EPA requirements for a RACT level program.

Section 108 of the CAA lists TCMs that must be evaluated for their feasibility to be implemented as a part of the control strategy. The Georgia SIP contained commitments to implement those TCMs which were determined to be feasible. The 1982 CO SIP Reasonable Further Progress demonstration includes a two percent emission reduction from the 1980 base year emissions of 279,040 tpy which equates to 5580.8 tpy. Calculations by the Atlanta Regional Commission (ARC) indicate that 5920.7 tpy in annual CO emission reductions were achieved due to the implementation of the TCMs. (See Table II for a listing of TCMs used in determining this reduction.)

TABLE II

TCM	Reduction (tons/year)
Expanded Transit	1453.1
Express Transit to Park/Ride Lots	155.1
Informal Park/Ride Lots	1233.8
Improved Traffic Flow	1750.9
Pedestrian Malls, Bridges	134.0
Expand I&M Program	454.8
Fleet Vehicle Idling/Tuneup	739.0

TABLE II—Continued

TCM	Reduction (tons/year)
Total	5920.7

Proposed Action

On the basis of four years of air quality data showing no violations of the NAAQS for CO and a fully implemented EPA-approved control strategy, EPA proposes to redesignate the Atlanta CO nonattainment area to attainment. The public is invited to participate in this rulemaking by submitting written comments on this proposed action.

Under 5 U.S.C. 605(b), I certify that redesignations do not have a significant economic impact on a substantial number of small entities. (See 46 FR 8709.)

Nothing in this action shall be construed as permitting or allowing or establishing a precedent for any future request for a revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical economic and environmental factors and in relation to relevant statutory and regulatory requirements.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

List of Subjects in 40 CFR Part 81

Air pollution control, National Parks, Wilderness areas.

Authority: 42 U.S.C. 7401-7642.

Dated: February 9, 1990.

Joe R. Franzmathes,

Acting Regional Administrator.

[FR Doc. 90-22548 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 22

[CC Docket No. 90-358; FCC 90-282]

Establishment of Standards for Conducting Comparative Renewal Proceedings in the Domestic Public Cellular Radio Telecommunications Service

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This rule making proceeding will establish standards for conducting comparative renewal proceedings in the Domestic Public Cellular Radio Telecommunications Service (cellular radio service). Currently there are no specific rules governing the conduct of comparative cellular renewal proceedings. The proposed rules would create: (1) Criteria for comparing a cellular radio renewal applicant and any challengers; (2) basis qualifications standards for challengers; and (3) procedures for preventing possible abuses in the comparative renewal process.

DATES: Comments must be filed by November 13, 1990. Reply comments are due by November 28, 1990.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Mobile Services Division, Common Carrier Bureau (202) 632-6450.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making in CC Docket No. 90-358, adopted August 1, 1990, and released September 20, 1990.

The full texts of Commission decisions are available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this notice may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

The following collection of information contained in these proposed rules has been submitted to the Office of Management and Budget for review under section 3504(h) of the Paperwork Reduction Act. Copies of the submission may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037. Persons wishing to comment on this information collection should direct their comments to Eyvette Flynn, (202) 395-3785, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503. A copy of any comments should also be sent to the Federal Communications Commission, Office of Managing Director, Washington, DC 20554. For further information contact Judy Boley, Federal Communications Commission, (202) 632-7513.

OMB number: None.

Title: Amendment of part 22 of the Commission's Rules to Establish

Standards for Conducting Comparative Cellular Renewal Proceedings.

Action: Proposed New Collection.

Respondents: Businesses or other for profit (including small businesses).

Frequency of response: On occasion.

Estimated annual burden: 50 responses; 100 hours total; 2 hours average burden per response.

Needs and uses: The proposed rules seek to establish standards for conducting comparative renewal proceedings between an applicant seeking renewal of its license in the Domestic Public Cellular Radio Telecommunications Service and challengers filing competing applications. Applicants filing applications which would compete with renewal applications would be required to submit information, at the time they file their applications, to demonstrate the availability of their proposed transmitter-antenna sites and to demonstrate their financial qualifications. The proposed rules would impose the same restrictions on payments made to petitioners and competing applications which the Commission has previously adopted for broadcast renewal proceedings. Affected public are applicants competing with current licensees and entities filing petitions concerning renewal applications.

Summary of Notice of Proposed Rule Making

1. The Notice of Proposed Rule Making (NPRM) seeks to establish standards for conducting comparative renewal proceedings between an applicant seeking renewal of its license in the Domestic Cellular Radio Telecommunications Service (cellular radio service) and challengers filing competing applications. The NPRM proposes granting renewal expectancies in the cellular radio service for the past performance of licensees. Tentatively, a renewal expectancy would be granted to a licensee which (1) Has substantially used its spectrum for its intended purpose; (2) has substantially complied with applicable Commission rules, policies and the Communications Act and (3) has not otherwise engaged in substantial relevant misconduct. A renewal expectancy would be more significant than any other preference awarded in comparative renewal proceedings.

2. The NPRM also proposes certain criteria for comparing applicants in a cellular renewal proceeding. Thus, applicants would be compared with respect to their performance in the cellular industry or another business of comparable type and size. Further,

standard issues would be included to compare the areas and population which each applicant plans to serve, the demand for cellular service in those areas and the applicants' ability to meet that demand, the applicants' proposals for expanding system capacity to meet increasing demand, and the nature and extent of the extent of the applicants' service proposals. The NPRM requests comments as to whether the Commission should utilize "paper" hearings before administrative law judges, rather than the usual trial-type hearing procedures. In addition, the NPRM asks for comments on whether it is possible to streamline the comparative renewal process by bifurcating that process.

3. Given the Commission's continued over the filing of speculative applications for the cellular service, the NPRM proposes to impose strict basic qualifications requirements on challenging applicants to protect the integrity of the renewal process and the public from having to accept service from unqualified licensees. Thus, applicants filing applications which would compete with renewal applications would be required to submit information, at the time they file their initial applications, to demonstrate the availability of their proposed transmitter-antenna sites and to demonstrate their financial qualifications.

4. The NPRM also proposes additional rules to prevent abuse of the comparative cellular renewal process by speculative applicants and petitioners who seek primarily to obtain payments for incumbent licenses. Thus, the NPRM suggests that the Commission should incorporate into the cellular renewal process the restrictions on payments made to petitioners and competing applicants which the Commission adopted in BC Docket No. 81-742 concerning broadcast renewal proceedings. An applicant filing a competing application against a cellular renewal application could only receive payment for withdrawing its application if it withdrew after the Initial Decision stage of the hearing and any payments would be limited to the legitimate and prudent expenses incurred in preparing, filing and prosecuting its application.

5. Lastly, to insure continuity of service and discourage speculators who would seek to acquire cellular licenses in cellular renewal proceedings for the purpose of selling them at a high price soon after acquisition, the NPRM seeks comments on whether the Commission should adopt a rule which prohibits the transfer of a cellular authorization prior to operation of the system for at least

three years, when that authorization is awarded to an applicant for the first time in a comparative renewal proceeding.

6. This is a non-restricted notice and comment rule making proceeding. See § 1.1231 of the Commission's Rules, 47 CFR 1.1231, for the governing permissible *ex parte* contacts.

List of Subjects in 47 CFR Part 22

Communications common carriers, Domestic public cellular radio telecommunications service.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 90-22578 Filed 9-21-90; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[Docket No. 87-8; FCC 90-279]

Television Satellite Stations Policies

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission seeks further comment on issues regarding the authorization of television satellite stations in urban areas. Comment is requested regarding retention of the case-by-case approach for analyzing satellite applications, and the possible definition of a class of circumstances in which satellite operation would be presumptively in the public interest. This action will assist the Commission in developing a satellite policy that provides more definitive guidance to applications while balancing appropriate policy considerations.

DATES: Comments must be submitted on or before November 19, 1990, and reply comments on or before December 19, 1990.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Michael Ruger, Policy and Rules Division, Mass Media Bureau, (202) 632-7792.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Further Notice of Proposed Rule Making* ("Further NPRM") in MM Docket No. 87-8, adopted August 1, 1990, and released September 18, 1990.

The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may

also be purchased from the Commission's copy contractor, International Transcription Services, (202) 857-3800, 2100 M Street NW., suite 140, Washington, DC 20037.

1. This *Further NPRM* is a continuation of our inquiry into the policies and rules regarding television satellite stations. Television satellite stations are full-power terrestrial TV stations that rebroadcast all or most of the programming of a commonly owned parent station. A satellite which rebroadcasts all of the programming of its parent station is referred to as a 100% satellite station, whereas a satellite that has a local studio and originates some local programming, but not more than 5% local programming, is referred to as a "primarily satellite" station.

2. We initiated this proceeding in *Notice of Inquiry and Notice of Proposed Rule Making ("NOI")*, 52 FR 7282 (March 10, 1987). The *NOI* requested comment on two main proposals regarding TV satellite stations. First, we proposed to adopt a strict prohibition against, or a stronger policy disfavoring, satellite stations in larger, more urban markets. Second, we proposed that once a satellite operation had been justified in truly rural or more sparsely populated areas, any unnecessary restraint on the amount of locally originated programming should be removed by eliminating direct or indirect origination limits or by establishing a definitional ceiling that provides for Maximum feasible licensee discretion.

3. Since the release of the *NOI*, the number of requests for satellite authorization has increased, and we anticipated that this trend will continue. A higher level of certainty and predictability as to the treatment of these requests may prove especially beneficial for applicants and the Commission's staff. In addition, our concern for spectrum efficiency is heightened as competing demands for spectrum in urban areas increase, particularly in light of the anticipated demand for spectrum for high definition TV. Because of these developments, we believe we should continue our efforts to develop a satellite policy that provides more definitive guidance to applicants while balancing appropriate policy considerations. Therefore, we seek further comment on issues regarding our satellite policy for urban areas.

4. First, we wish to consider whether we should retain our existing case-by-case approach to examining satellite applications. Pursuant to this approach, we evaluate a number of factors, including the degree of overlap between

the parent and proposed satellite operation and the small size of the market, economic analyses and projections, a history of financial losses in the case of a operating station, and unsuccessful efforts to sell a license or permit to an entity that would operate the station as a full-service station. We also evaluate the number of services in the overlap area, the extent to which the proposed satellite would provide service to underserved areas, whether there is a TV station licensed to the community, and whether satellite status would ensure continued operation of a community's only TV station. Retention of this approach provides flexibility in analyzing satellite applications. However, we may want to refine or alter the factors employed under this approach in order to afford applicants a higher degree of certainty. We seek comment on whether all of these factors remain relevant in today's broadcasting environment, and whether we should examine additional factors. We also seek comment on whether we should rank the factors to reflect their relative importance and, if so, what the priorities should be.

5. As an alternative, we could adopt an approach that would define a fixed class of circumstances in which satellite operation would be presumptively in the public interest because the area could not support a full service station and receives little or no service. Applications not presumptively in the public interest would be examined on a case-by-case basis. This approach would provide additional predictability and certainty in the satellite authorization process that could not result from retention of the case-by-case approach. We request comment on how we could fashion such a presumption, when it should be applied, and whether the use of a presumption would meet our goals of balancing appropriate policy considerations and providing guidance to applicants.

6. The core of any presumption would be a definition of what constitutes an underserved area, based on the number of signals received. We request comment on what that number should be. In the event that the Commission adopts such a definition, we request comment on whether we should count each signal received, or whether we should consider duplicated signals to constitute one signal. Furthermore, in determining the availability of signals, should we, consistent with general practice, consider the Grade B service contours of full service stations and, if so, should we consider predicted or actual Grade B service?

7. We seek comment on whether in determining the number of available signals, we should consider only signals provided by full-power commercial stations, or the signals of noncommercial stations, television translator stations, or LPTV stations as well. We also request comment on whether we should account for the availability of cable television service in the area.

8. We seek comment regarding the effect that adoption of a presumption may have on the consideration of factors traditionally considered relevant to satellite proposals. How might we reconcile a presumption with our traditional concern about the degree of overlap of the stations? Should we consider applicants that propose Grade A overlap ineligible for the presumption, or should we balance the percentage of overlap area against the value of the new service to determine the applicant's eligibility? Should the economic base of support for television service affect the application of a presumption? Finally, should we account for the availability of a full complement of network signals in setting the number of signals received that define an underserved area?

9. In most instances, the number of services provided within a proposed service area will vary among segments of that area. This suggests a need to define some minimum total service area or population on a percentage or absolute basis that must be considered underserved before we would consider a satellite to serve the underserved area. We seek comment on whether we should adopt a minimum percentage and, if so, what that percentage should be.

10. In responding to the issues presented above, commenters are invited to relate to their comments the issue of whether the amount of programming satellite stations are authorized to originate should be limited.

11. Until the resolution of this proceeding, applications requesting satellite status that are currently on file, as well as any received in the interim, will be examined on a case-by-case basis pursuant to our existing satellite precedent.

Further Initial Regulatory Flexibility Analysis

12. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 603, this proceeding, depending on the final action taken, should have a positive impact on all broadcasters by clarifying and solidifying the Commission's policies regarding television satellite

stations. Public comment is requested on the further initial regulatory flexibility analysis set out in full in the Commission's complete decision.

13. As required by section 603 of the Regulatory Flexibility Act, the Commission has prepared a Further Initial Regulatory Flexibility Analysis (FIRFA) of the expected impact on small entities of the proposals suggested in this document. Written public comments are requested on the FIRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the Notice, but they must have a separate and distinct heading designating them as responses to the Regulatory Flexibility Analysis. The Secretary shall send a copy of this Further Notice of Proposed Rule Making, including the Further Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration in accordance with paragraph 603(a) of the Regulatory Flexibility Act (Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 *et seq.*, (1981)).

Comment Instructions

14. Pursuant to applicable procedures set forth in §§ 1.415 and 1.419 of the Commission's Rules, 47 CFR 1.415 and 1.419, interested parties may file comments on or before November 19, 1990, and reply comments on or before December 19, 1990. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding.

Ex Parte Information

15. This is a non-restricted notice and comment rule making proceeding. See generally § 1.1200 *et seq.* of the Commission's Rules, 47 CFR 1.1200 *et seq.*, for rules governing permissible *ex parte* contacts.

Paperwork Reduction Act Statement

16. The proposal contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980, and found to contain no new or modified form, information collection, and/or record keeping, labeling, disclosure, or record retention requirements; and will not increase or decrease burden hours imposed on the public.

17. Accordingly, the Commission adopts this *Further Notice of Proposed Rule Making* pursuant to the authority contained in sections 4 (i) and (j), 303(r) and 403 of the Communications Act of 1934 as amended.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 90-22475 Filed 9-21-90; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 646

[Docket No. 900798-0235]

RIN 0648-AD59

Snapper-Grouper Fishery of the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule.

SUMMARY: NOAA issues this proposed rule to implement Amendment 3 to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic Region (FMP). This proposed rule would (1) add wreckfish to the management unit; (2) require permits to fish for wreckfish; (3) require catch and effort reports from selected, permitted vessels; (4) require that fish in the snapper-grouper fishery be made available for inspection, upon request, to an authorized officer; (5) require permitted vessels to display their official numbers; (6) establish a fishing year for wreckfish that commences on April 16; (7) make vessel operators responsible for ensuring that fish in the snapper-grouper fishery aboard their vessels comply with the minimum size limits and are maintained intact; (8) establish a trip limit for wreckfish of 10,000 pounds (4,536 kilograms); (9) prohibit the possession of dynamite aboard vessels in the snapper-grouper fishery; (10) exclude wreckfish from the calculations for determining when a vessel with a trawl aboard is in a directed fishery for fish in the snapper-grouper fishery; (11) establish a spawning-season closure for wreckfish from January 15 through April 15; (12) establish a wreckfish quota and provisions for closure of the fishery for wreckfish; (13) provide for annual modifications of specified wreckfish management measures; (14) prohibit interference with law enforcement functions under the Magnuson Fishery Conservation and Management Act (Magnuson Act); and (15) reorder the regulations and make other minor changes. The intended effects of this rule are to conserve and manage the wreckfish resource, to enhance enforcement of the snapper-grouper

regulations, to reorder and restate the regulations for clarity, and to conform the existing regulations with current usage.

DATES: Written comments must be received on or before October 18, 1990.

ADDRESSES: Requests for copies of Amendment 3, which includes a regulatory impact review/initial regulatory flexibility analysis/environmental assessment (RIR/IRFA/EA) should be sent to the South Atlantic Fishery Management Council (Council), 1 Southpark Circle, Southpark Building, Suite 306, Charleston, South Carolina 29407-4699.

Comments on the proposed rule should be sent to Robert A. Sadler, Southeast Region, NMFS, 9450 Koger Boulevard, St. Petersburg, FL 33702.

Comments on the information collection requirements that would be imposed by this rule should be sent to: Edward E. Burgess, NMFS, 9450 Koger Boulevard, St. Petersburg, Florida 33702; and Office of Information and Regulatory Affairs of the Office of Management and Budget, Washington, D.C. 20503 (Attention: Desk Officer for NOAA).

FOR FURTHER INFORMATION CONTACT: Robert A. Sadler, 813-893-3722.

SUPPLEMENTARY INFORMATION: Snapper-grouper species are managed under the FMP prepared by the Council, and its implementing regulations at 50 CFR part 646, under the authority of the Magnuson Act. Amendment 3 to the FMP proposes conservation and management measures for wreckfish, a definition of overfishing, as it relates to wreckfish, and a proposal to establish a control date of March 28, 1990, after which anyone entering the wreckfish fishery will not be assured of future participation.

Background

Relatively little is known about wreckfish. This species can reach 220 pounds (100 kilograms), but has an average weight of about 30 pounds (13.6 kilograms). Wreckfish are pelagic for the earlier years of their life and are often associated with floating debris during that time. Adults are abyssal and are generally distributed from Newfoundland to Argentina; however, fishable concentrations have been found only in a limited area of the Blake Plateau, approximately 100 nautical miles off the coasts of South Carolina and Georgia.

The fishing grounds have depths ranging between 248 and 330 fathoms (450 and 600 meters), and are characterized by a rocky ridge having a

vertical relief of over 27 fathoms (50 meters). The substrate in areas of the Blake Plateau exhibiting significant relief is generally composed of manganese-phosphate pavements, phosphorite slabs, and coral banks. Wreckfish concentrations occur primarily on the manganese-phosphate bottoms. Portions of the fishing grounds characterized by an unevenness of the ridge are relatively unproductive, and further limit the area suitable for fishing.

The fishery began in 1987, with two vessels landing wreckfish in South Carolina, and has since expanded to approximately 50 vessels. Fishermen who have been displaced from other heavily exploited or stressed fisheries, such as those for snapper-grouper, mackerel, shrimp, or swordfish, may enter the wreckfish fishery, add to the rapidly increasing amount of effort, and cause additional stress on the fishery.

Initial catch rates in the fishery were impressive, ranging between 10 and 12 thousand pounds (4.5-5.4 thousand kilograms) per 7-8 day trip. Catch rates for some of the more productive vessels now range upwards of 30,000 pounds (13,600 kilograms) for a 7-8 day trip. Several of the vessels operate with a very short interval between trips, resulting in disproportionately high shares of the total harvest.

The resource is harvested with modified "bandit" gear similar to that used on other members of the snapper-grouper complex. Bandit gear consists of heavy duty hydraulic reels spooled with 1/8-inch cable and a terminal rig of a large weight and 8-12 large circle hooks. The wreckfish harvest in 1987 was approximately 29,000 pounds (13,154 kilograms), and has increased exponentially in succeeding years. The 1989 harvest level was 2 million pounds (907,194 kilograms) and that amount has been substantially exceeded in 1990. Landings through July, 1990, were 4.23 million pounds (1.9 million kilograms).

The geographically limited extent of the fishing grounds, the biological characteristics of wreckfish, the rapid increase in participation in the fishery, and lack of regulation make the fishery vulnerable to rapid depletion, and necessitate immediate action to prevent a resource collapse.

Accordingly, the Council requested and the Secretary of Commerce (Secretary) implemented an emergency rule to (1) Add wreckfish to the management unit of the FMP; (2) establish a fishing year for wreckfish beginning April 16, 1990; (3) establish a wreckfish quota of 2 million pounds (907,194 kilograms) for the 1990/1991 fishing year; (4) close the wreckfish fishery when the quota is reached; (5)

establish a wreckfish trip limit of 10,000 pounds (4,536 kilograms) per vessel; and (6) exclude wreckfish from the calculations for determining when a vessel with a trawl aboard is in a directed fishery for fish in the snapper-grouper fishery. The emergency rule was published on August 8, 1990 (55 FR 32257), and is effective through November 1, 1990. The 2 million-pound quota, effective since April 16, was reached on August 8, 1990, and the fishery was closed for the period August 9, 1990, through November 1, 1990 (55 FR 32635; August 10, 1990). The emergency rule and the closure may be extended for an additional period of not more than 90 days.

In addition to the management measures contained in the emergency rule, Amendment 3 would (1) Require permits to fish for wreckfish; (2) require catch and effort reports from selected, permitted vessels; (3) establish a spawning-season closure for wreckfish from January 15 through April 15; (4) provide for annual specification or modification of the wreckfish maximum sustainable yield (MSY), total allowable catch (TAC), quota, trip limit, fishing year, spawning-season closure, fishing year, and permit requirements; and (5) define overfishing for wreckfish.

The rationale for the management measures in the emergency rule were included in the preamble to that rule and are not repeated here.

Additional Management Measures

Data on the wreckfish fishery are very limited. A permit system would identify the universe of fishermen from whom information could be collected on catch, effort, and size and age composition of wreckfish, all of which are important in monitoring the biological status of the fishery and its level of exploitation. The combination of a permit system and mandatory reporting by selected, permitted vessels would insure accuracy and completeness of the information collected.

Fishermen have observed that wreckfish caught during the January through April period are in spawning condition. Preliminary research results provided by the South Carolina Wildlife and Marine Resources Division support the conclusion of a January through April spawning season. Fishermen have also stated that wreckfish bite baited hooks very aggressively during the spawning period. A spawning-season closure would help protect the wreckfish resource from recruitment failure and was strongly supported during the public hearing process.

To avoid long delays in making adjustments and to take advantage of

data as it becomes available, Amendment 3 would establish a procedure for modifying certain wreckfish management measures, as follows:

1. The Councils would appoint an assessment group (Group) that would assess the condition of the wreckfish resource in the management unit on an annual basis. The Group would present a report of its assessment and recommendations to the Council.

2. The Council would consider the report of the Group and hold public hearings to discuss the Group's report at a time and place of the Council's choosing. The Council could convene the Advisory Panel and the Scientific and Statistical Committee to provide advice prior to taking final action. After receiving public input, the Council would make findings on the need for changes.

3. If changes were needed in MSY, TAC, quota, trip limit, fishing year, spawning-season closure, or criteria for permits, the Council would advise the Director, Southeast Region, NMFS (Regional Director) in writing of its recommendations, accompanied by the Group's report, relevant background material, draft regulations, and a summary of public comments. This report would be submitted each year by such date as agreed upon by the Council.

4. The Regional Director would review the Council's recommendations, supporting rationale, public comments, and other relevant information. In the event the Regional Director rejected the recommendations, he would provide written reasons for the rejection to the Council and existing regulations would remain in effect until the issue was resolved.

5. If the Regional Director initially concurred that the Council's recommendations were consistent with the goals and objectives of the FMP, the national standards, and other applicable law, he would recommend that the Secretary publish notice in the *Federal Register* of the proposed changes with a minimum of 15 days for public comment. After review of the public comments and final determinations of consistency with the goals and objectives of the FMP, the national standards, and other applicable law, the approved changes would be published as a final rule.

6. Appropriate adjustments that could be implemented by the Secretary via proposed and final rules under this procedure would be:

(a) Initial specification of MSY and subsequent adjustment of the best estimate of MSY.

(b) Setting of TAC for wreckfish, not exceeding 8 million pounds (3.629 million kilograms).

(c) Modification of the quota or trip limit.

(d) Modification of the fishing year and/or the spawning-season closure by not more than one month.

(e) Modification of the criteria for obtaining a permit.

Based on the Council's intent to protect the long-term production of the resource, Amendment 3 would define "overfished" and "overfishing," as they relate to wreckfish, as follows:

1. Wreckfish are overfished when the stock is below the level of 30 percent of the spawning stock biomass per recruit that would occur in the absence of fishing.

2. When wreckfish are overfished, overfishing is defined as harvesting at a rate that is not consistent with a program that has been established to rebuild the stock or stock complex to the 30 percent spawning stock biomass per recruit level.

3. When wreckfish are not overfished, overfishing is defined as harvesting at a rate that, if continued, would lead to a state of the stock or stock complex that would not allow a harvest of at least optimum yield on a continuing basis.

Additional information on the wreckfish fishery, the proposed management measures, and the definition of overfishing, as it relates to wreckfish, is contained in Amendment 3, the availability of which was announced in the *Federal Register* on August 14, 1990 (55 FR 33143). For a document establishing a control date of March 28, 1990, after which anyone entering the wreckfish fishery may not be assured of future participation, see a notice published elsewhere in this issue.

Additional Changes

In addition to the changes to the existing regulations necessary to implement Amendment 3, NOAA proposes other changes to facilitate enforcement and to clarify the regulations and conform them to current usage.

In addition to the requirement that fishermen and dealers make fish in the snapper-grouper fishery available to authorized statistical reporting agents, such fish would be required to be made available to authorized officers. This addition would enhance enforcement.

A permitted vessel in the wreckfish fishery would be required to display prominently its official number, i.e., its Coast Guard documentation number or state registration number. Such display would assist enforcement of the vessel trip limit, the prohibition of transfer at

sea of wreckfish, and the quota closure provisions.

A general prohibition on interference with law enforcement functions under the Magnuson Act would significantly enhance enforcement.

A specification of an operator's responsibility for compliance aboard his vessel with the minimum size limits and the requirement that fish subject to a minimum size be maintained intact would clarify that responsibility and would be in accord with the definition of "operator" at 50 CFR 620.2, which includes the phrase "in charge of that vessel."

To enforce effectively the prohibition on use of explosives, this proposed rule would prohibit the possession of dynamite or a similar explosive substance aboard a vessel in the snapper-grouper fishery. NOAA is not aware of any legitimate use of dynamite or a similar explosive substance aboard a vessel in that fishery.

Other minor changes are proposed to reorder and restate the regulations for clarity and to conform them with current usage.

Endangered Species Impacts

Pursuant to section 7 of the Endangered Species Act of 1973, a biological assessment was prepared on Amendment 3 that concludes that implementation of the amendment would not adversely affect any populations of endangered or threatened species. The Regional Director concurs with that conclusion.

Classification

Section 304(a)(1)(D)(ii) of the Magnuson Act, as amended by Public Law 99-659, requires the Secretary to publish regulations proposed by a Council within 15 days of receipt of an FMP amendment and regulations. At this time, the Secretary has not determined that Amendment 3, which this proposed rule would implement, is consistent with the national standards, other provisions of the Magnuson Act, and other applicable law. The Secretary, in making that determination, will take into account the data, views, and comments received during the comment period.

This proposed rule is exempt from the procedures of E.O. 12291 under section 8(a)(2) of that order. It is being reported to the Director, Office of Management and Budget, with an explanation of why it is not possible to follow the procedures of that order.

The Assistant Administrator for Fisheries, NOAA, has initially determined that this proposed rule is not a "major rule" requiring the preparation

of a regulatory impact analysis under E.O. 12291. This proposed rule, if adopted, is not likely to result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions; or a significant adverse effect on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The Council prepared a regulatory impact review (RIR) for Amendment 3 that concludes that this rule, if adopted, would have overall net economic benefits, which are summarized as follows: Adding wreckfish to the snapper-grouper management unit; requiring an annual permit to fish for, land, or sell wreckfish; and requiring vessel reports of catch and effort information would have no significant short-term economic effects on participants in the fishery. The criteria for obtaining a permit could be met by documentation of prior sale of wreckfish or by orders or invoices for specific fishing gear, such gear being a prerequisite for entry into the fishery in any case. The information to be reported by selected, permitted vessels is information that is readily available. Potential long-term economic benefits would come from having better data, with resulting improved management of the fishery. There would be short- and long-term costs in administering and enforcing the management regime. Estimates of those costs are not available.

The long-term benefits from the quota, trip limit, and closure provisions, combined, are expected to far outweigh the short-term losses to fishermen that may result from those proposed management measures. Some short-term losses to consumers are expected because wreckfish landings will probably be smaller than they would have been without those proposed measures. These short-term losses will probably be felt as higher prices to consumers at the retail level, but these losses will be more than compensated for in the long term if the proposed management measures are successful in ensuring a sustainable yield from the wreckfish resource.

A copy of the RIR may be obtained (see ADDRESSES).

The Council prepared an initial regulatory flexibility analysis (IRFA) as part of the RIR that describes the effects this rule, if adopted, would have on small business entities, summarized as

follows. The number of vessels (small entities) that would be affected by this rule is uncertain, and there is a broad range of cost/price variabilities that may result from this rule. Nevertheless, it is expected that small entities may suffer short-term losses that will be outweighed by long-term benefits. A copy of the IRFA may be obtained (see ADDRESSES).

The Council prepared an environmental assessment (EA) that discusses the impact on the environment as a result of this rule. A copy of the EA may be obtained (see ADDRESSES) and comments on it are requested.

The Council has determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal zone management programs of Florida, South Carolina, and North Carolina. Georgia does not participate in the coastal zone management program. These determinations have been submitted for review by the responsible state agencies under section 307 of the Coastal Zone Management Act.

This proposed rule contains two new collections of information subject to the Paperwork Reduction Act, namely, applications for annual vessel permits and catch and effort reports from selected, permitted vessels. Requests to make these collections have been submitted to the Office of Management and Budget (OMB) for approval. The public reporting burdens for these collections of information are estimated to average 15 and 6 minutes per response, respectively, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This proposed rule restates, for clarity, the application procedure for obtaining a vessel and gear identification number and color code, applicable to a vessel from which a fish trap is deployed, and redesignates that paragraph as § 646.6(b)(1). That collection of information was previously approved under OMB control number 0648-0205. The public reporting burden for that collection of information was estimated to average 15 minutes per response including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding these burden estimates or any other aspect of these collections of information, including suggestions for reducing the burdens, to Edward E. Burgess, NMFS, and to the

Office of Information and Regulatory Affairs, Office of Management and Budget (see ADDRESSES).

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

List of Subjects in 50 CFR Part 646

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: September 17, 1990.

Michael F. Tillman,
Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.

For the reasons set forth in the preamble, 50 CFR part 646 is proposed to be amended as follows:

PART 646—SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC

1. The authority citation for part 646 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 646.2, in the definition of Fish in the snapper-grouper fishery, after the listing of Snappers—Lutjanidae, a new family and species are added; and a new definition of Trip is added in alphabetical order to read as follows:

§ 646.2 Definitions.

* * * * *

Fish in the snapper-grouper fishery
means the following species:

* * * * *

Temperate basses—Percichthyidae
Wreckfish—*Polyprion americanus*
* * * * *

Trip means a fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, seawall, or ramp and that terminates with return to a dock, berth, beach, seawall, or ramp.

§§ 646.4–646.8 [Redesignated as §§ 646.5–646.9]

3. Sections 646.4 through 646.8 are redesignated as §§ 646.5 through 646.9, and a new § 646.4 is added to read as follows:

§ 646.4 Permits.

(a) *Applicability.* To fish for wreckfish in the EEZ, land wreckfish from the EEZ, or sell wreckfish in or from the EEZ, an owner or operator of a vessel must obtain an annual vessel permit.

(b) *Application for permit.* (1) An application for an annual vessel permit must be submitted and signed by the owner or operator of the vessel. The application must be submitted to the Regional Director at least 60 days prior to the date on which the applicant

desires to have the permit made effective.

(2) A permit applicant must provide the following information:

(i) A copy of the vessel's U.S. Coast Guard certificate of documentation or, if not documented, a copy of the vessel's state registration certificate;

(ii) The vessel's name, official number, length, home port, and engine horsepower;

(iii) Name, mailing address including zip code, and telephone number of the owner of the vessel;

(iv) Name, mailing address including ZIP code, and telephone number of the applicant, if other than the owner;

(v) Social security number and date of birth of the applicant and the owner;

(vi) Documentation that wreckfish caught by the vessel were sold during the 12 months preceding the application or, in lieu thereof, documentation that equipment required specifically for use in the wreckfish fishery was on order or purchased for the vessel during the 12 months preceding the application; and

(vii) Any other information concerning vessel and gear characteristics requested by the Regional Director.

(3) Any change in the information specified in paragraph (b)(2) of this section must be submitted in writing to the Regional Director by the permit holder within 30 days of any such change. The permit is void if any change in the information is not reported.

(c) *Issuance.* (1) The Regional Director will issue a permit at any time during the fishing year to an applicant if:

(i) The application is complete; and

(ii) The applicant has complied with all applicable reporting requirements of § 646.5 during the 12 months immediately preceding the application.

(2) Upon receipt of an incomplete application, or an application from a person who has not complied with all applicable reporting requirements of § 646.5 during the 12 months immediately preceding the application, the Regional Director will notify the applicant of the deficiency. If the applicant fails to correct the deficiency within 30 days of the Regional Director's notification, the application will be considered abandoned.

(d) *Duration.* A permit remains valid for the remainder of the fishing year for which it is issued unless revoked, suspended, or modified pursuant to subpart D of 15 CFR part 904.

(e) *Transfer.* A permit issued under this section is not transferable or assignable. A person purchasing a vessel with an annual vessel permit must apply for a permit in accordance with the provisions of paragraph (b) of

this section. The application must be accompanied by a copy of an executed (signed) bill of sale.

(f) *Display.* A permit issued under this section must be carried on board the permitted vessel at all times and such vessel must be identified as provided for in § 640.6. The operator of a fishing vessel must present the permit for inspection upon request of an authorized officer.

(g) *Sanctions and denials.* Procedures governing enforcement related permit sanctions and denials are found at subpart D of 15 CFR part 904.

(h) *Alteration.* A permit that is altered, erased, or mutilated is invalid.

(i) *Replacement.* A replacement permit may be issued. An application for

a replacement permit will not be considered a new application.

4. Newly redesignated § 646.5 is revised to read as follows:

§ 646.5 Recordkeeping and reporting.

(a) *Permitted vessels.* The owner or operator of a vessel for which a permit has been issued under § 646.4(a), and that is selected by the Science and Research Director, must maintain a fishing record for each fishing trip on a form available from the Science and Research Director. These forms must be submitted on a monthly basis (or more frequently, if requested by the Science and Research Director) so as to be received not later than the 7th day of the end of the reporting period. If no fishing occurred during a month, a report so

stating must be submitted on one of the forms. If fishing occurred, the following information must be reported for each trip:

- (1) Name and official number of vessel;
- (2) Date(s) of trip and fishing location(s) by statistical area(s) (see Figure 1);
- (3) Pounds of catch of wreckfish;
- (4) Type and quantity of gear fished;
- (5) Duration (hours) of vessel fishing effort;
- (6) Port of landing;
- (7) Name of dealer;
- (8) Condition of fish landed (whole or gutted); and
- (9) Average depth of fishing effort in feet.

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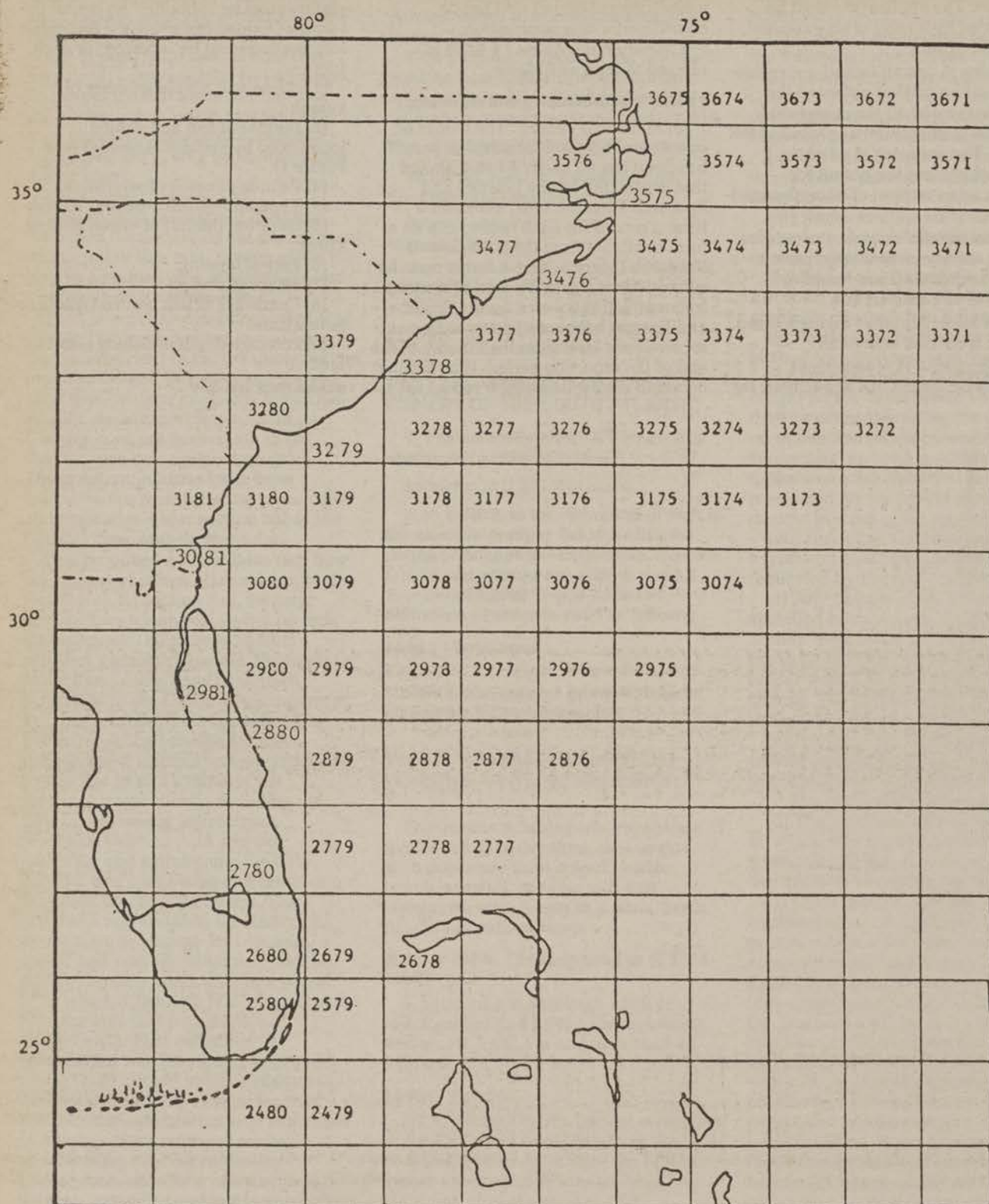


Figure 1. STATISTICAL AREAS FOR THE SOUTH ATLANTIC

(b) *Additional data and inspection.* Additional data will be collected by authorized statistical reporting agents, as designees of the Science and Research Director, and by authorized officers.

(1) An owner or operator of a fishing vessel and a dealer or processor are required, upon request, to make fish in the snapper-grouper fishery, or parts thereof, available for inspection by the Science and Research Director or an authorized officer.

(2) The owner or operator of a vessel for which a permit has been issued under § 646.4(a), and that is not selected by the Science and Research Director to maintain a fishing record under paragraph (a) of this section, must, upon request, provide to an authorized statistical reporting agent the information specified in paragraphs (a)(1) through (6) of this section for a specific trip.

5. Newly redesignated § 646.6 is revised to read as follows:

§ 646.6 Vessel and gear identification.

(a) *Permitted vessels.* A vessel for which a permit has been issued under § 641.4 must display its official number—

(1) On the port and starboard sides of the deckhouse or hull and on an appropriate weather deck so as to be clearly visible from an enforcement vessel or aircraft;

(2) In block arabic numerals in contrasting color to the background;

(3) At least 18 inches (45.7 centimeters) in height for fishing vessels over 65 feet (19.8 meters) in length and at least 10 inches (25.4 centimeters) in height for all other vessels; and

(4) Permanently affixed to or painted on the vessel.

(b) *Vessels fishing with fish traps.* The owner or operator of a fishing vessel from which a fish trap, other than a black sea bass trap, is deployed in the EEZ is required to obtain a vessel and gear identification number and color code from the Regional Director and to prominently display the number and color code. In addition, the number and color code must be displayed on traps and buoys.

(1) *Application.* (i) An application for a vessel and gear identification number and color code under this part must be signed by the owner or operator of the vessel and submitted on an appropriate form obtained from the Regional Director. A fisherman who has an existing number and color code from another fishery may indicate on the application his preference to use that same identification system for the fish trap fishery. Whenever possible, the

Regional Director will reissue the requested number and color code adding only a single letter prefix to indicate that the vessel and gear are engaged in the fish trap fishery. The application must be submitted to the Regional Director at least 30 days prior to the date on which the applicant desires receipt of the vessel and gear identification number and color code.

(ii) An applicant must provide the following information:

(A) Name, mailing address including ZIP code, and telephone number of the owner of the vessel;

(B) Name and official number of the vessel;

(C) Home port or principal port of landing, gross tonnage, and length of the vessel;

(D) Engine horsepower and year the vessel was built;

(E) Number, dimensions, and estimated cubic volume of the fish traps that will be fished;

(F) Any other information concerning vessel and gear characteristics requested by the Regional Director; and

(G) A statement that the applicant will allow authorized officers reasonable access to his property (vessel and dock) to inventory fish traps for compliance with these regulations.

(iii) Any change in the information specified in paragraph (b)(1)(ii) of this section must be submitted in writing to the Regional Director by the applicant within 15 days of any such change. Failure to notify the Regional Director of any change in the required information will result in a rebuttable presumption that the information is still accurate and current.

(2) *Issuance.* The Regional Director will issue a color code, vessel and gear identification number, and fish trap tags imprinted with the vessel and gear identification number to the applicant not later than 30 days from the date of receipt of a completed application.

(3) *Display.* (i) *Vessels.* A vessel must permanently and conspicuously display its identification number and color code in a manner so as to be readily identifiable from the air and water.

(A) To be visible from the air, the identification number and color code must be permanently affixed to the uppermost structural portion of the vessel or other similar area. The color code must be in the form of a circle at least 20 inches (50.8 centimeters) in diameter, and the areas surrounding the circle must be of a contrasting color. The identification number must be at least 10 inches (25.4 centimeters) in height and must be affixed adjacent to the 20-inch (50.8-centimeter) diameter circle.

(B) To be visible from the water, the identification number and color code must be permanently affixed to both starboard and port sides of the vessel near amidships. The color code must be in the form of a circle at least 8 inches (20.3 centimeters) in diameter and the area surrounding the circle must be of a contrasting color. The identification number must be at least 4 inches (10.2 centimeters) in height and must be affixed adjacent to the 8-inch (20.3-centimeter) diameter circle.

(ii) *Fish traps.* Each fish trap must have affixed to it permanently the numbered identification tag supplied by the Regional Director.

(iii) *Buoys.* The use of buoys to identify fish traps is not required. If a buoy is used, it must display the identification number and color code so as to be easily distinguished, located, and identified. The identification number must be in legible figures at least 2 inches (5.1 centimeters) in height and affixed to each buoy.

(4) *Presumption of ownership.* A fish trap fished in the EEZ will be presumed to be the property of the most recently documented owner. This presumption will not apply with respect to a fish trap that is lost or sold if the owner of such trap reports the loss or sale within 15 days to the Regional Director.

(5) *Unmarked traps.* An unmarked fish trap deployed in the EEZ, other than a black sea bass trap, is illegal and may be disposed of in any appropriate manner by the Secretary (including an authorized officer). If an owner of the unmarked trap can be ascertained, such owner remains subject to appropriate civil penalties.

(c) *Duties of operator or person.* The operator of each fishing vessel specified in paragraphs (a) and (b) of this section must—

(1) Keep the official number, or identification number and color code, clearly legible and in good repair; and

(2) Ensure that no part of the fishing vessel or structure, its rigging, fishing gear, or any other material aboard obstructs the view of the official number, or identification number and color code, from an enforcement vessel or aircraft.

6. Newly redesignated § 646.7 is revised to read as follows:

§ 646.7 Prohibitions.

In addition to the general prohibitions specified in § 620.7 of this chapter, it is unlawful for any person to do any of the following:

(a) Falsify information specified in § 646.4(b)(2) on an application for a vessel permit.

(b) Fail to display a permit, as specified in § 646.4(f).

(c) Falsify or fail to provide information required to be submitted or reported, as required by § 646.5(a) and § 646.6(b)(1)(ii).

(d) Fail to make fish in the snapper-grouper fishery, or parts thereof, available for inspection, as required by § 646.5(b).

(e) Falsify or fail to display and maintain vessel and gear identification, as required by § 646.6 (a), (b)(3), and (c).

(f) Possess a fish in the snapper-grouper fishery smaller than the minimum size limits, as specified in § 646.21(a).

(g) Possess a fish in the snapper-grouper fishery without its head and fins intact, as specified in § 646.21(b).

(h) Operate a vessel with fish in the snapper-grouper fishery aboard that are smaller than the minimum size limits or do not have head and fins intact, as specified in § 646.21(c).

(i) Possess wreckfish in or from the EEZ in excess of the trip limit, as specified in § 646.21(d)(1).

(j) Transfer wreckfish at sea, as specified in § 646.21(d)(2).

(k) [Reserved].

(l) Fish with poisons or explosives or possess on board a fishing vessel any dynamite or similar explosive substance, as specified in § 646.22(a).

(m) Use or possess in the EEZ a fish trap that does not conform to the requirements for degradable openings and mesh sizes specified in § 646.22(b)(1) and (2).

(n) Use a fish trap in the prohibited area south and west of Fowey Rocks Light, Florida, as specified in § 646.22(b)(3).

(o) Attach a buoy line to a trap south of Fowey Rocks Light, Florida, that is less than 125 feet (38 meters) in length, as specified in § 646.22(b)(4).

(p) Pull or tend a fish trap, except during the hours specified in § 646.22(b)(5); or tend, open, pull, or otherwise molest or have in possession another person's fish trap, except as specified in § 641.22(b)(6).

(q) Use trawl gear in a directed snapper-grouper fishery in the EEZ between Cape Hatteras, North Carolina, and Cape Canaveral, Florida, as specified in § 646.22(c)(1).

(r) Transfer at sea any fish in the snapper-grouper fishery from a vessel with trawl gear aboard to another vessel, or receive at sea any such fish, as specified in § 646.22(c)(2) and (3).

(s) During the spawning-season closure or after a quota closure, harvest or possess wreckfish in or from the EEZ, or purchase, barter, trade, offer for sale,

or sell wreckfish taken from the EEZ, as specified in § 646.23 and § 646.24(b).

(t) Harvest or fail to release a jewfish within a special management zone, as specified in § 646.26(b)(1).

(u) Use prohibited or unauthorized fishing gear in a special management zone, as specified in § 646.26 (b)(2) and (c).

(v) Interfere with, obstruct, delay or prevent by any means an investigation, search, seizure, or disposition of seized property in connection with enforcement of the Magnuson Act.

7. Sections 646.20 and 646.21 are revised to read as follows:

§ 646.20 Fishing year.

The fishing year for wreckfish begins on April 16 and ends on April 15.

§ 646.21 Harvest limitations.

(a) *Minimum sizes.* The following minimum size limits apply for the possession of fish in the snapper-grouper fishery in, or taken from, the EEZ:

(1) Red snapper, yellowtail snapper, red grouper, and Nassau grouper—12 inches (30.5 centimeters) total length.

(2) Black sea bass south of Cape Hatteras, North Carolina—8 inches (20.3 centimeters) total length.

(b) *Head and fins intact.* A fish in the snapper-grouper fishery subject to a minimum size limit specified in paragraph (a) of this section possessed in the EEZ must have its head and fins intact and such fish taken from the EEZ must have its head and fins intact through landing. Such fish may be eviscerated, but must otherwise be maintained in a whole condition.

(c) *Operator responsibility.* The operator of a vessel that fishes in the EEZ is responsible for ensuring that fish in the snapper-grouper fishery possessed aboard that vessel comply with the minimum sizes specified in paragraph (a) of this section and are maintained with head and fins intact as specified in paragraph (b) of this section.

(d) *Wreckfish trip limit.*

(1) No vessel on any trip may possess wreckfish in or from the EEZ in excess of 10,000 pounds (4,536 kilograms).

(2) Wreckfish taken in the EEZ may not be transferred at sea; and wreckfish may not be transferred at sea in the EEZ, regardless of where such wreckfish were taken.

(e) *Jewfish prohibition.* [Reserved]

8. In § 646.22, the heading, paragraph (a)(1), and paragraph (c)(1) are revised; in paragraph (b)(2) introductory text, the reference to "Figure 1" is revised to read "Figure 2"; in paragraph (b)(4), the phrase "(38 meters)" is added

immediately after "125 feet"; Figure 1 is redesignated as Figure 2; and new paragraphs (b) (5) and (6) are added, to read as follows:

§ 646.22 Gear restrictions.

(a) * * *

(1) Explosives (except explosives in powerheads) may not be used in the EEZ to fish for fish in the snapper-grouper fishery. A vessel in the snapper-grouper fishery may not possess on board any dynamite or similar explosive substance.

* * * * *

(b) * * *

(5) A fish trap in the EEZ in the Atlantic Ocean south of 28°24.5' N. latitude (Cape Canaveral, Florida) may be pulled or tended only during the period from 1 hour before sunrise to 1 hour after sunset.

(6) A fish trap may be tended or pulled only by a person (other than an authorized officer) aboard the fish trap owner's vessel(s), or aboard another vessel, if such vessel has on board written consent of the fish trap owner.

(c) * * *

(1) In the EEZ between Cape Hatteras, North Carolina (35°15' N. latitude), and Cape Canaveral, Florida (28°35.1' N. latitude—due east of the NASA Vehicle Assembly Building), the use of trawl gear in a directed snapper-grouper fishery is prohibited. A vessel with trawl gear and more than 200 pounds (90.7 kilograms) of fish in the snapper-grouper fishery, excluding wreckfish, aboard is considered to be in a directed snapper-grouper fishery. It is a rebuttable presumption that a vessel with more than 200 pounds (90.7 kilograms) of fish in the snapper-grouper fishery, excluding wreckfish, aboard harvested such fish in the EEZ.

* * * * *

9. Section 646.23 is redesignated as § 646.27, § 646.24 is redesignated as § 646.26, and new §§ 646.23, 646.24, and 646.28 are added to read as follows:

§ 646.23 Wreckfish spawning-season closure.

During the period January 15 through April 15, each year, fishing for wreckfish in the EEZ, landing wreckfish from the EEZ, or selling or attempting to sell wreckfish in or from the EEZ is prohibited. This prohibition does not apply to trade in wreckfish that were harvested, landed, and bartered, traded, or sold prior to January 15 and were held in cold storage by a dealer or processor.

§ 646.24 Wreckfish quota and closure.

(a) Persons fishing for wreckfish are subject to a quota of 2 million pounds (907,194 kilograms) each fishing year.

(b) When the quota is reached, or is projected to be reached, the Secretary will publish a notice to that effect in the *Federal Register*. After the effective date of such notice, for the remainder of the fishing year, wreckfish may not be harvested or possessed in or from the EEZ and the purchase, barter, trade, offer for sale, and sale of wreckfish taken from the EEZ is prohibited. This prohibition does not apply to trade in wreckfish that were harvested, landed, and bartered, traded, or sold prior to the effective date of the notice in the *Federal Register* and that were held in cold storage by a dealer or processor.

§ 646.28 Annual modification of wreckfish management measures.

(a) The Councils will appoint an assessment group (Group) that will assess the condition of the wreckfish resource in the management unit on an annual basis. The Group will present a report of its assessment and recommendations to the Council.

(b) The Council will consider the report of the Group and hold public hearings to discuss the Group's report at

a time and place of the Council's choosing. The Council may convene the Advisory Panel and the Scientific and Statistical Committee to provide advice prior to taking final action. After receiving public input, the Council will make findings on the need for changes.

(c) If the changes are needed in MSY, TAC, quota, trip limit, fishing year, spawning-season closure, or criteria for permits, the Council will advise the Regional Director, Southeast Region, NMFS (Regional Director) in writing of its recommendations accompanied by the Group's report, relevant background material, draft regulations, and a summary of public comments. This report will be submitted each year by such date as agreed upon by the Council.

(d) The Regional Director will review the Council's recommendations, supporting rationale, public comments, and other relevant information. In the event the Regional Director rejects the recommendations, he will provide written reasons for the rejection to the Council and existing regulations will remain in effect until the issue is resolved.

(e) If the Regional Director initially concurs that the Council's recommendations are consistent with

the goals and objectives of the FMP, the national standards, and other applicable law, he will recommend that the Secretary publish notice in the *Federal Register* of the proposed changes with a minimum of 15 days for public comment. After review of the public comments and final determinations of consistency with the goals and objectives of the FMP, the national standards, and other applicable law, the approved changes will be published as a final rule.

(f) Appropriate adjustments that may be implemented by the Secretary via proposed and final rules under this procedure are:

(1) Initial specification of MSY and subsequent adjustment of the best estimate of MSY.

(2) Setting TAC for wreckfish, not exceeding 8 million pounds (3.629 million kilograms).

(3) Modifying the quota or trip limit.

(4) Modifying the fishing year and/or the spawning-season closure by not more than one month.

(5) Modifying the criteria for obtaining a permit.

[FR Doc. 90-22415 Filed 9-18-90; 3:52 pm]

BILLING CODE 3510-22-M

Notices

Federal Register

Vol. 55, No. 185

Monday, September 24, 1990

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

Intend to Grant an Exclusive License

AGENCY: Agricultural Research Service, USDA.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the U.S. Department of Agriculture, Agricultural Research Service, intends to grant an exclusive license to Isthmus Engineering and Manufacturing Cooperative, Madison, Wisconsin, on U.S. Patent 4,343,189, "Method and Apparatus for Edgewise Compression Testing of Flat Sheets," (U.S. Patent Application Serial No. 06/152,874), and its continuation-in-part U.S. Patent 4,446,743, "Method and Apparatus for Edgewise Compression Testing of Flat Sheets," (U.S. Patent Application Serial No. 06/366,754). Notices of Availability were given on August 31, 1982, and July 6, 1984, respectively, in the Federal Register.

DATES: Comments must be received by October 24, 1990.

ADDRESSES: Send comments to: USDA-ARS-Office of Cooperative Interactions, Beltsville Agricultural Research Center, Baltimore Boulevard, Building 005, room 401, BARC-W, Beltsville, Maryland 20705.

FOR FURTHER INFORMATION CONTACT: M. Ann Whitehead of the Office of Cooperative Interactions at the Beltsville address given above; telephone: 301/344-2786, (FTS) 344-2786.

SUPPLEMENTARY INFORMATION: The USDA-ARS intends to grant to Isthmus Engineering and Manufacturing Cooperative an exclusive license to practice the said inventions. Patent rights to these inventions are assigned to the United States of America as represented by the Secretary of Agriculture. It is in the public interest to so license this invention as Isthmus

Engineering and Manufacturing Cooperative has submitted a complete, sufficient, and verified application for a license and has entered into a Cooperative Research and Development Agreement with the Forest Service providing for manufacturing and sale of the inventions.

The prospective exclusive license will be royalty-bearing and will comply with the terms and conditions of 35 U.S.C. 209 and 37 CFR 404.7 and will conform to the intent of 15 U.S.C. 3710a. The prospective exclusive license may be granted unless, within sixty days from the date of this published Notice, the Agricultural Research Service receives written evidence and argument which established that the grant of the license would not be consistent with the requirements of 35 U.S.C. 209 and 37 CFR 404.7 and the intent 15 U.S.C. 3710a.

William H. Tallent,

Assistant Administrator.

[FR Doc. 90-22569 Filed 9-21-90; 8:45 am]

BILLING CODE 3410-03-M

DEPARTMENT OF COMMERCE

Agency Form Under Review by the Office of Management and Budget (OMB)

DOC has submitted to OMB for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.

Title: Special Population Census.

Form Number: SC-19, SC-19AR.

Agency Approval Number: None.

Type of Request: New collection.

Burden: 10,417 hours.

Number of Respondents: 125,000.

Avg Hours Per Response: 5 minutes.

Needs and Uses: The special census program is a service offered and performed contractually by the Census Bureau for states, counties, and other governmental units which require current population data between decennial censuses. Since many states distribute funds based on current population statistics, many local jurisdictions use the special census data to apply for state funds. The Census Bureau also uses special census data as a part of the Bureau's local population estimates calculations.

Affected Public: Individuals or households.

Frequency: As requested.

Respondent's Obligation: Voluntary.

OMB Desk Officer: Marshall Mills, 395-7340.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Clearance Officer, (202) 377-3271, Department of Commerce, room H5312, 14th and Constitution Avenue NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Marshall Mills, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: September 18, 1990.

Edward Michals,

Departmental Clearance Officer, Office of Management and Organizations.

[FR Doc. 90-22480 Filed 9-21-90; 8:45 am]

BILLING CODE 3510-07-M

International Trade Administration

Initiation of Antidumping and Countervailing Duty Administrative Reviews

AGENCY: International Trade Administration/Import Administration, Commerce.

ACTION: Notice of initiation of antidumping and countervailing duty administrative reviews.

SUMMARY: The Department of Commerce has received requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings. In accordance with the Commerce Regulations, we are initiating those administrative reviews.

EFFECTIVE DATES: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Roland L. MacDonald or Paul McGarr, Office of Antidumping Compliance or Office of Countervailing Compliance, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230; telephone (202) 377-2104/2786.

SUPPLEMENTARY INFORMATION:

Background

The Department of Commerce ("the Department") has received timely

requests, in accordance with § 353.22(a)(1) of the Department's regulations, for administrative reviews of various antidumping and countervailing duty orders and findings.

Initiation of Reviews

In accordance with §§ 353.22(c) and 355.22(c) of the Department's regulations, we are initiating administrative reviews of the following antidumping and countervailing duty orders and findings. We intend to issue the final results of these reviews not later than August 31, 1991.

Antidumping duty proceedings and firms	Periods to be reviewed
Italy: Granular PTFE Resin A-475-703 Montefluos S.p.A. Tapered Roller Bearings A-475-603 Gnuttu Carlo S.p.A.	08/01/89-07/31/90 08/01/89-07/31/90
Israel: Industrial Phosphoric Acid A-508-604 Negev Phosphates Ltd. Haifa Chemical Ltd.	08/01/89-07/31/90 08/01/89-07/31/90
Netherlands: Brass Sheet and Strip A-421-701 Outokumpu Copper Products B.V.	08/01/89-07/31/90
Taiwan: Clear Sheet Glass A-583-023 Hsinchu Glass Works Taiwan Glass Corp. Yotak Trading Co. International Trade Co.	08/01/89-07/31/90 08/01/89-07/31/90 08/01/89-07/31/90 08/01/89-07/31/90
Japan: Tapered Roller Bearings A-588-054 Koyo Seiko Nippon Seiko Nachi-Fujikoshi	08/01/89-07/31/90 08/01/89-07/31/90 08/01/89-07/31/90
Countervailing duty proceedings and firms	Periods to be reviewed
Canada: Live Swine C-122-404	04/01/89-03/31/90
Israel: Industrial Phosphoric Acid C-508-605	01/01/89-12/31/89
Venezuela: Certain Electrical Con- ductor Aluminum Redraw Rod C-307-702	01/01/89-12/31/89

Interested parties must submit applications for administrative protective orders in accordance with §§ 353.34(b) and 353.34(b) of the Department's regulations.

These initiations and this notice are in accordance with section 751(a) of the Tariff Act of 1930 (19 U.S.C. 1675(a)) and

19 CFR 353.22(c) (1989) and § 355.22(c) (1988).

Dated: September 18, 1990.

Joseph A. Spetrini,
Deputy Assistant Secretary for Compliance.
[FR Doc. 90-22528 Filed 9-2-90; 8:45 am]

BILLING CODE 3510-25-M

[A-583-808]

Antidumping Duty Order and Amendment to the Final Determination of Sales at Less Than Fair Value: Sweaters Wholly or in Chief Weight of Man-Made Fiber from Taiwan

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: In its investigation, the U.S. Department of Commerce determined that sweaters wholly or in chief weight of man-made fiber (MMF sweaters) from Taiwan were being sold in the United States at less than fair value. In a separate investigation, the U.S. International Trade Commission (ITC) determined that a U.S. industry is being materially injured by reason of imports of MMF sweaters from Taiwan.

Therefore, based on these findings, all unliquidated entries or warehouse withdrawals of MMF sweaters, except those of Jia Farn Manufacturing Co. (Jia Farn), made on or after April 27, 1990, the date on which the Department published its preliminary determination in the *Federal Register* (55 FR 17788), will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the *Federal Register*.

This notice and order clarifies the scope of the antidumping duty order and corrects certain ministerial errors contained in our final determination.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Carole A. Showers, Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC, 20230: (202) 377-3217.

Scope of Investigation.

The products covered by this investigation include sweaters wholly or in chief weight of man-made fiber. For purposes of this investigation, sweaters of man-made fiber are defined as

garments for outerwear that are knit or crocheted, in a variety of forms including jacket, vest, cardigan with button or zipper front, or pullover, usually having ribbing around the neck, bottom and cuffs on the sleeves (if any), encompassing garments of various lengths, wholly or in chief weight of man-made fiber. The term "in chief weight of man-made fiber" includes sweaters where the man-made fiber material predominates by weight over each other single textile material. This includes sweaters 23 percent or more by weight of wool. It includes men's, women's, boys', or girls' sweaters, as defined above, but does not include sweaters for infants 24 months of age or younger. It includes all sweaters as defined above, regardless of the number of stitches per centimeter, provided that, with regard to sweaters having more than nine stitches per two linear centimeters horizontally, it includes only those with a knit-on rib at the bottom.

Garments which extend below mid-thigh or cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not considered sweaters and are excluded from the scope of this investigation. Also specifically excluded from the scope of this investigation are sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Taiwan and entering under *Harmonized Tariff Schedule* (HTS) item number 9902.61.

The subject merchandise is currently classifiable under HTS item numbers 6110.30.30.10, 6110.30.30.15, 6110.30.30.20, 6110.30.30.25, 6103.23.00.70, 6103.29.10.40, 6103.29.20.62, 6104.23.00.40, 6104.29.10.60, 6104.29.20.60, 6110.30.10.10, 6110.30.20.20, 6110.30.20.10, and 6110.30.20.20. This merchandise may also enter under HTS item numbers 6110.30.30.50 and 6110.30.30.55. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive as to the scope of the product coverage.

SUPPLEMENTARY INFORMATION: In accordance with section 735(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1673(a)) (the Act), on August 16, 1990, the Department made its final determination that MMF sweaters from Taiwan are being sold at less than fair value (55 FR 34585, August 23, 1990). On September 10, 1990, in accordance with section 735(d) of the Act, the ITC notified the Department that such imports materially injure a U.S. industry.

Therefore, in accordance with sections 736 and 751 of the Act, the Department will direct U.S. Customs

officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act, antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of MMF sweaters from Taiwan. These antidumping duties will be assessed on all unliquidated entries of MMF sweaters from Taiwan entered, or withdrawn from warehouse, except those of Jia Farn, for consumption on or after April 27, 1990, the date on which the Department published its preliminary determination notice in the *Federal Register*.

In our preliminary determination, we clarified the scope of this investigation by deleting the phrase "but most typically ending at the waist." In our final determination, we further clarified the scope by adding the phrase "a product or garment will not be considered a sweater nor included in the scope of this investigation if it extends to mid-calf or below and is lined." We have solicited and received comments from interested parties concerning these clarifications. After reviewing the petition, these comments and other information on the record, including the treatment by the U.S. Customs Service of this merchandise under the Multifiber Arrangement, we have concluded that (1) garments which extend below mid-thigh, and (2) cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not properly considered sweaters and are excluded from the scope of this antidumping duty order.

In our final determination, we stated that sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Taiwan are excluded from the scope of this investigation. This exclusion was due, in part, to the current customs classification of sweaters assembled in Guam under HTS item number 9902.61 and to the unique circumstances which justify this classification. Therefore, for purposes of this order, we are further clarifying the exclusion to cover only those sweaters from Guam entering under HTS item number 9902.61.

Prior to our final determination, the American International Knitters Corp. and Commonwealth Garment Manufacturing Inc. (AIKC/CGM) requested that we also exclude from the scope of this investigation certain MMF sweaters assembled in the Commonwealth of Northern Mariana Islands (CNMI) from knit-to-shape component parts knit in and imported

from Taiwan. AIKC/CGM assert that, because certain MMF sweaters from Guam have been excluded from the scope of this investigation, the Department is required to exclude like imports from the CNMI. AIKC/CGM base their argument on 48 U.S.C. 1681, Note, which requires that CNMI be treated the same as Guam for customs purposes. We have reviewed all comments received and other information on the record pertaining to this issue. Contrary to AIKC/CGM's claim, 48 U.S.C. 1681, Note, does not require the Department to treat imports from Guam and CNMI the same for purposes of the antidumping and countervailing duty laws. Even if the Department were required to consider customs treatment in these proceedings, sweaters assembled in CNMI from imported knit-to-shape component parts are not, in fact, treated the same for customs purposes as those assembled in Guam. Subsequent to the passage and in derogation of 48 U.S.C. 1681, Note, Congress enacted HTS 9902.61, which provides unique tariff treatment for sweaters assembled in Guam. However, Congress did not include in this provision, nor in any other HTS provision, similar treatment with respect to MMF sweaters assembled in CNMI. Accordingly, through the enactment of HTS 9902.61, Congress specifically modified and superceded the general language of 48 U.S.C. 1681, Note.

In addition, AIKC/CGM did not, as the Guam producer did in supporting that exclusion request, establish its exclusive right to quota for sweaters exported from CNMI over the lifetime of the quota regime. Finally, petitioners have opposed the exclusion of Taiwan sweaters assembled in the CNMI, whereas they requested such an exclusion for sweaters assembled in Guam.

Therefore, for the reasons addressed above, we are not excluding MMF sweaters assembled in the CNMI from the scope of this antidumping duty order.

Allegation of Clerical Error

Subsequent to the Department's final determination, Chung Tai Industries Co., Ltd., alleged that certain clerical errors had been made with respect to the calculation of the margin assigned to six of its U.S. sales. The Department conducted a review based on these comments and hereby amends its final determination to correct clerical errors in the calculations with respect to four of Chung Tai's U.S. sales. These corrections change Chung Tai's weighted-average dumping margin for MMF sweaters from 4.75 percent to 4.02

percent and the "all-others" rate for MMF sweaters from 21.38 percent to 21.30 percent.

With respect to Chung Tai's allegation on two other U.S. sales, errors were contained in the data submitted by Chung Tai. Therefore, we have determined that no error was made by the Department in the margin calculation with regard to these sales and no modification has been made to our determination for these sales.

Suspension of Liquidation

On or after date of publication of this notice in the *Federal Register*, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average dumping margins, except for Jia Farn, as noted below:

Manufacturers/producers/exporters	Margin percentage
Bay/Joy Flower Knitting Co., Ltd., and all related companies	24.02
Bonanza Industries Co., Ltd., and all related companies	23.72
Chen Hwa Knitting Factory, Ltd., and all related companies including: Dragontex Enterprise Co.	24.02
Chung Ling Co., Ltd., and all related companies including: Three Bell Knitting Manufacturer, Ltd.	24.02
Chung Tai Industries Co., Ltd., and all related companies	4.02
Goodman Knitting Co., Ltd., and all related companies	24.02
Jia Farn Manufacturing Co., Ltd., and all related companies	¹ 0.00
Knitwear Express Co., Ltd., and all related companies	24.02
Modern Knitting Mills Inc., and all related companies	5.68
New Northern Knitting Co., Ltd., and all related companies	24.02
Niceware Knitting Co., Ltd., and all related companies	24.02
Oriental Knitting Co., Ltd., and all related companies, including: Tung Yi Enterprises Co., Ltd.	24.02
Supertex Knitting Co., Ltd., and all related companies	24.02
Tai Hing Enterprise Co., Ltd., and all related companies	24.02
All others	21.30

¹ Excluded.

This constitutes the antidumping duty order with respect to MMF sweaters from Taiwan, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and § 353.21 of the Commerce Regulations (19 CFR 353.21).

Dated: September 19, 1990.

Marjorie A. Chorlins,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90-22720 Filed 9-21-90; 8:45 am]

BILLING CODE 3510-DS-M

[A-582-802]

Antidumping Duty Order: Sweaters Wholly or in Chief Weight of Man-Made Fiber from Hong Kong

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: In its investigation, the U.S. Department of Commerce determined that sweaters wholly or in chief weight of man-made fiber (MMF sweaters) from Hong Kong were being sold in the United States at less than fair value. In a separate investigation, the U.S. International Trade Commission (ITC) determined that a U.S. industry is being materially injured by reason of imports of MMF sweaters from Hong Kong.

Therefore, based on these findings, all unliquidated entries or warehouse withdrawals of MMF sweaters, made on or after April 27, 1990, the date on which the Department published its preliminary determination in the Federal Register (55 FR 17788), will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the Federal Register.

This notice and order clarifies the scope of the antidumping duty order.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT:

Carole A. Showers, Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC, 20230; (202) 377-3217.

Scope of Investigation

The products covered by this investigation include sweaters wholly or in chief weight of man-made fiber. For purposes of this investigation, sweaters of man-made fiber are defined as garments for outerwear that are knit or crocheted, in a variety of forms including jacket, vest, cardigan with button or zipper front, or pullover, usually having ribbing around the neck, bottom and cuffs on the sleeves (if any), encompassing garments of various

lengths, wholly or in chief weight of man-made fiber. The term "in chief weight of man-made fiber" includes sweaters where the man-made fiber material predominates by weight over each other single textile material. This excludes sweaters 23 percent or more by weight of wool. It includes man's, women's boy's, or girls' sweaters, as defined above, but does not include sweaters for infants 24 months of age or younger. It includes all sweaters as defined above, regardless of the number of stitches per centimeter, provided that, with regard to sweaters having more than nine stitches per two linear centimeters horizontally, it includes only those with a knit-on rib at the bottom.

Garments which extend below mid-thigh or cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not considered sweaters and are excluded from the scope of this investigation. Also specifically excluded from the scope of this investigation are sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Hong Kong and entering under *Harmonized Tariff Schedule* (HTS) item number 9902.61.

The subject merchandise is currently classifiable under HTS item numbers 6110.30.30.10, 6110.30.30.15, 6110.30.30.20, 6110.30.30.25, 6103.23.00.70, 6103.29.10.40, 6103.29.20.62, 6104.23.00.40, 6104.29.10.60, 6104.29.20.60, 6110.30.10.10, 6110.30.10.20, 6110.30.20.10, and 6110.30.20.20. This merchandise may also enter under HTS item numbers 6110.30.30.50 and 6110.30.30.55. This HTS item numbers are provided for convenience and Customs purposes. This written description remains dispositive as to the scope of the product coverage.

SUPPLEMENTARY INFORMATION: In accordance with section 735(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1673(a)) (the Act), on July 19, 1990, the Department made its final determination that MMF sweaters from Hong Kong are being sold at less than fair value (55 FR 30733, July 27 1990). On September 10, 1990, in accordance with section 735(d) of the Act, the ITC notified the Department that such imports materially injure a U.S. industry.

Therefore, in accordance with sections 736 and 751 of the Act, the Department will direct U.S. Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act, antidumping duties equal to the amount by which the foreign market value of the

merchandise exceeds the United States price for all entries of MMF sweaters from Hong Kong. These antidumping duties will be assessed on all unliquidated entries of MMF sweaters from Hong Kong entered, or withdrawn from warehouse, for consumption on or after April 27, 1990, the date on which the Department published its preliminary determination notice in the Federal Register.

In our preliminary determination, we clarified the scope of this investigation by deleting the phrase "but most typically ending at the waist." In our final determination, we further clarified the scope by adding the phrase "a product or garment will not be considered a sweater nor included in the scope of this investigation if it extends to mid-calf or below and is lined." We have solicited and received comments from interested parties concerning these clarifications. After reviewing the petition, these comments and other information on the record, including the treatment by the U.S. Customs Service of this merchandise under the Multifiber Arrangement, we have concluded that (1) garments which extend below mid-thigh, and (2) cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not properly considered sweaters and are excluded from the scope of this antidumping duty order.

In our final determination, we stated that sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Hong Kong are excluded from the scope of this investigation. This exclusion was due, in part, to the current customs classification of sweaters assembled in Guam under HTS item number 9902.61 and to the unique circumstances which justify this classification. Therefore, for purposes of this order, we are further clarifying the exclusion to cover only those sweaters from Guam entering under HTS item number 9902.61.

Prior to our final determination, the American International Knitters Corp. and Commonwealth Garment Manufacturing Inc. (AIKC/CGM) requested that we also exclude from the scope of this investigation certain MMF sweaters assembled in the Commonwealth of Northern Mariana Islands (CNMI) from knit-to-shape component parts knit in and imported from Hong Kong. AIKC/CGM assert that, because certain MMF sweaters from Guam have been excluded from the scope of this investigation, the Department is required to exclude like

imports from the CNMI. AIKC/CGM base their argument on 48 U.S.C. 1681, Note, which requires that CNMI be treated the same as Guam for customs purposes. We have reviewed all comments received and other information on the record pertaining to this issue. Contrary to AIKC/CGM's claim, 48 U.S.C. 1681, Note, does not require the Department to treat imports from Guam and CNMI the same for purposes of the antidumping and countervailing duty laws. Even if the Department were required to consider customs treatment in these proceedings, sweaters assembled in CNMI from imported knit-to-shape component parts are not, in fact, treated the same for customs purposes as those assembled in Guam.

Subsequent to the passage and in derogation of 48 U.S.C. 1681, Note, Congress enacted HTS 9902.61, which provides unique tariff treatment for sweaters assembled in Guam. However, Congress did not include in this provision, nor in any other HTS provision, similar treatment with respect to MMF sweaters assembled in CNMI. Accordingly, through the enactment of HTS 9902.61, Congress specifically modified and superseded the general language of 48 U.S.C. 1681, Note.

In addition, AIKC/CGM did not, as the Guam producer did in supporting that exclusion request, establish its exclusive right to quota for sweaters exported from CNMI over the lifetime of the quota regime. Finally, petitioners have opposed the exclusion of Hong Kong sweaters assembled in the CNMI, whereas they requested such an exclusion for sweaters assembled in Guam.

Therefore, for the reasons addressed above, we are not excluding MMF sweaters assembled in the CNMI from the scope of this antidumping duty order.

Suspension of Liquidation

On or after the date of publication of this notice in the *Federal Register*, U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average dumping margins as noted below:

Manufacturers/producers/exporters	Margin percentage
Comitex Knitters, Ltd., and all related companies	5.86
Crystal Knitters, Ltd., and all related companies, including:	10.00

Manufacturers/producers/exporters	Margin percentage
Clevermark Industrial, Ltd. Crystal Garments, Ltd. Crystal Textiles, Ltd. Crystal Woven, Ltd. Elegance Ind. Co., Ltd. Honson, Ltd. Sinotex Development, Ltd. Laws Fashion Knitters, Ltd., and all related companies, including: Cordial Knitting Co., Ltd. Law Falcon Apparel Co., Ltd. Laws Garments, Ltd. Lita, Ltd. Matsue Industrial Company Ltd. Prosperity Clothing Co., Ltd./Estero Enterprises, Ltd., and all related companies	10.22
All others	115.15
	5.86

¹ Excluded.

This constitutes the antidumping duty order with respect to MMF sweaters from Hong Kong, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and § 353.21 of the Commerce Regulations (19 CFR 353.21).

Dated: September 19, 1990.

Marjorie A. Chorlins,

Acting Assistant Secretary for Import Administration.

[FR Doc. 90-22721 Filed 9-21-90; 8:45 am]

BILLING CODE 3510-DS-M

[A-580-806]

Antidumping Duty Order: Sweaters Wholly or in Chief Weight of Man-Made Fiber from the Republic of Korea

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: In its investigation, the U.S. Department of Commerce determined that sweaters wholly or in chief weight of man-made fiber (MMF sweaters) from the Republic of Korea (Korea) were being sold in the United States at less than fair value. In a separate investigation, the U.S. International Trade Commission (ITC) determined that a U.S. industry is being materially injured by reason of imports of MMF sweaters from Korea.

Therefore, based on these findings, all unliquidated entries or warehouse withdrawals of MMF sweaters, made on or after April 27, 1990, the date on which the Department published its

preliminary determination in the *Federal Register* (55 FR 17788), will be liable for the possible assessment of antidumping duties. Further, a cash deposit of estimated antidumping duties must be made on all such entries, and withdrawals from warehouse, for consumption made on or after the date of publication of this antidumping duty order in the *Federal Register*.

This notice and order clarifies the scope of the antidumping duty order.

EFFECTIVE DATE: September 24, 1990.

FOR FURTHER INFORMATION CONTACT: Gary Taverman, Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC, 20230: (202) 377-0161.

Scope of Investigation

The products covered by this investigation include sweaters wholly or in chief weight of man-made fiber. For purposes of this investigation, sweaters of man-made fiber are defined as garments for outerwear that are knit or crocheted, in a variety of forms including jacket, vest, cardigan with button or zipper front, or pullover, usually having ribbing around the neck, bottom and cuffs on the sleeves (if any), encompassing garments of various lengths, wholly or in chief weight of man-made fiber. The term "in chief weight of man-made fiber" includes sweaters where the man-made fiber material predominates by weight over each other single textile material. This excludes sweaters 23 percent or more by weight of wool. It includes men's women's boys', or girls' sweaters, as defined above, but does not include sweaters for infants 24 months of age or younger. It includes all sweaters as defined above, regardless of the number of stitches per centimeter, provided that, with regard to sweaters having more than nine stitches per two linear centimeters horizontally, it includes only those with a knit-on rib at the bottom.

Garments which extend below mid-thigh or cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not considered sweaters and are excluded from the scope of this investigation. Also specifically excluded from the scope of this investigation are sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Korea and entering under *Harmonized Tariff Schedule* (HTS) item number 9902.61.

The subject merchandise is currently classifiable under HTS item numbers 6110.30.30.10, 6110.30.30.15, 6110.30.30.20, 6110.30.30.25, 6103.23.00.70, 6103.29.10.40, 6103.29.20.62, 6104.23.00.40, 6104.29.10.60, 6104.29.20.60, 6110.30.10.10, 6110.30.10.20, 6110.30.20.10, and 6110.30.20.20. This merchandise may also enter under HTS item numbers 6110.30.30.50 and 6110.30.30.55. The HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive as to the scope of the product coverage.

SUPPLEMENTAL INFORMATION: In accordance with section 735(a) of the Tariff Act of 1930, as amended (19 U.S.C. 1673(a)) (the Act), on August 2, 1990, the Department made its final determination that MMF sweaters from Korea are being sold at less than fair value (55 FR 32659, August 10, 1990). On September 10, 1990, in accordance with section 735(d) of the Act, the ITC notified the Department that such imports materially injure a U.S. industry.

Therefore, in accordance with sections 736 and 751 of the Act, the Department will direct U.S. Customs officers to assess, upon further advice by the administering authority pursuant to section 736(a)(1) of the Act, antidumping duties equal to the amount by which the foreign market value of the merchandise exceeds the United States price for all entries of MMF sweaters from Korea. These antidumping duties will be assessed on all unliquidated entries of MMF sweaters from Korea entered, or withdrawn from warehouse, for consumption on or after April 27, 1990, the date on which the Department published its preliminary determination notice in the Federal Register.

In our preliminary determination, we clarified the scope of this investigation by deleting the phrase "but most typically ending at the waist." In our final determination, we further clarified the scope by adding the phrase "a product or garment will not be considered a sweater nor included in the scope of this investigation if it extends to mid-calf or below and is lined." We have solicited and received comments from interested parties concerning these clarifications. After reviewing the petition, these comments and other information on the record, including the treatment by the U.S. Customs Service of this merchandise under the Multifiber Arrangement, we have concluded that (1) garments which extend below mid-thigh, and (2) cardigans that contain a sherpa lining or heavy-weight fiberfill lining, including quilted linings, used to provide extra warmth to the wearer, are not properly considered sweaters and

are excluded from the scope of this antidumping duty order.

In our final determination, we stated that sweaters assembled in Guam that are produced from knit-to-shape component parts knit in and imported from Korea are excluded from the scope of this investigation. This exclusion was due, in part, to the current customs classification of sweaters assembled in Guam under HTS item number 9902.61 and to the unique circumstances which justify this classification. Therefore, for purposes of this order, we are further clarifying the exclusion to cover only those sweaters from Guam entering under HTS item number 9902.61.

Prior to our final determination, the American International Knitters Corp. and Commonwealth Garment Manufacturing Inc. (AIKC/CGM) requested that we also exclude from the scope of this investigation certain MMF sweaters assembled in the Commonwealth of Northern Mariana Islands (CNMI) from knit-to-shape component parts knit in and imported from Korea. AIKC/CGM assert that, because certain MMF sweaters from Guam have been excluded from the scope of this investigation, the Department is required to exclude like imports from the CNMI. AIKC/CGM base their argument on 48 U.S.C. 1681, Note, which requires that CNMI be treated the same as Guam for customs purposes. We have reviewed all comments received and other information on the record pertaining to this issue. Contrary to AIKC/CGM's claim, 48 U.S.C. 1681, Note, does not require the Department to treat imports from Guam and CNMI the same for purposes of the antidumping and countervailing duty laws. Even if the Department were required to consider customs treatment in these proceedings, sweaters assembled in CNMI from imported knit-to-shape component parts are not, in fact, treated the same for customs purposes as those assembled in Guam. Subsequent to the passage and in derogation of 48 U.S.C. 1681, Note, Congress enacted HTS 9902.61, which provides unique tariff treatment for sweaters assembled in Guam. However, Congress did not include in this provision, nor in any other HTS provision, similar treatment with respect to MMF sweaters assembled in CNMI. Accordingly, through the enactment of HTS 9902.61, Congress specifically modified and superceded the general language of 48 U.S.C. 1681, Note.

In addition, AIKC/CGM did not, as the Guam producer did in supporting that exclusion request, establish its exclusive right to quota for sweaters

exported from CNMI over the lifetime of the quota regime. Finally, petitioners have opposed the exclusion of Korean sweaters assembled in the CNMI, whereas they requested such an exclusion for sweaters assembled in Guam.

Therefore, for the reasons addressed above, we are not excluding MMF sweaters assembled in the CNMI from the scope of this antidumping duty order.

Suspension of Liquidation

On or after the date of publication of this notice in the Federal Register U.S. Customs officers must require, at the same time as importers would normally deposit estimated duties on this merchandise, a cash deposit equal to the estimated weighted-average dumping margins as noted below:

Manufacturers/producers/exporters	Margin percentage
Chunji Industrial Co., Ltd., and all related companies, including: U. Young.....	1.20
Hanil Synthetic Fiber Ind. Co. Ltd., and all related companies.....	3.17
Shinwon Tongsang and all related companies, including: Shinwon Development.....	1.11
Young Woo & Co., Ltd., and all related companies, including: Young Chang.....	0.73
Yurim Company, Ltd., and all related companies, including: Koo Ho.....	0.92
All others.....	1.30

This notice constitutes the antidumping duty order with respect to MMF sweaters from Korea, pursuant to section 736(a) of the Act. Interested parties may contact the Central Records Unit, Room B-099 of the Main Commerce Building, for copies of an updated list of antidumping duty orders currently in effect.

This order is published in accordance with section 736(a) of the Act and § 353.21 of the Commerce Regulations (19 CFR 353.21).

Dated: September 19, 1990.
 Marjorie A. Chorlins,
Acting Assistant Secretary for Import Administration.
 [FR Doc. 90-22722 Filed 9-21-90; 8:45 am]
 BILLING CODE 3510-DS-M

Minority Business Development Agency

Business Development Center Applications: Los Angeles, CA

AGENCY: Minority Business Development Agency, HHS.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting competitive applications under its Minority Business Development Center (MBDC) program to operate an MBDC for approximately a 3 year period, subject to the availability of funds. The cost of performance for the first 12 months is \$780,300 in Federal funds and a minimum of \$137,700 in non-Federal contributions for the budget period April 1, 1991 to March 31, 1992. Cost-sharing contributions may be in the form of cash contributions, client fees for services, in-kind contributions, or combinations thereof. The MBDC will operate in the Los Angeles, California geographic service area.

The I.D. Number for this project will be 09-10-91002-01.

The funding instrument for the MBDC will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American Indian tribes and educational institutions.

The MBDC program is designed to provide business development services to the minority business community for the establishment and operation of viable minority businesses. To this end, MBDA funds organizations that can coordinate and broker public and private resources on behalf of minority individuals and firms; offer a full range of management and technical assistance; and serve as a conduit of information and assistance regarding minority business.

Applications will be evaluated on the following criteria: the experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (techniques and methodology) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programmatically acceptable and responsive.

MBDCs shall be required to contribute at least 15% of the total project cost through non-Federal contributions. Client fees for billable management and technical assistance (M&TA) rendered must be charged by MBDCs. Based on a standard rate of \$50 per hour, MBDCs

will charge client fees at 20% of the total cost for firms with gross sales of \$500,000 or less and 35% of the total cost for firms with gross sales of over \$500,000.

The MBDC may continue to operate, after the initial competitive year, for up to 2 additional budget periods. Periodic reviews culminating in year-to-date quantitative and qualitative evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the discretion of MBDA based on such factors as an MBDC's satisfactory performance, the availability of funds and Agency priorities.

CLOSING DATE: The closing date for applications is October 30, 1990. Applications must be postmarked on or before October 30, 1990.

ADDRESS: San Francisco Regional Office, Minority Business Development Agency, U.S. Department of Commerce, 221 Main Street, Room 1280, San Francisco, California 94105, 415/744-3001.

A pre-application conference to assist all interested applicants will be held at the following address and time. Minority Business Development Agency U.S. Department of Commerce, San Francisco, California 94105, October 10, 1990 at 9:30 a.m.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Iglehart, Acting Regional Director, San Francisco Regional Office.

SUPPLEMENTARY INFORMATION: Anticipated processing time of this award is 120 days. Executive Order 12372 "Intergovernmental Review of Federal Programs" is not applicable to this program. Questions concerning the preceding information, copies of application kits and applicable regulations can be obtained at the above address.

11.800 Minority Business Development (Catalog of Federal Domestic Assistance)

Dated: September 18, 1990.

John F. Iglehart,

Acting Regional Director, San Francisco Regional Office.

[FR Doc. 90-22543 Filed 9-21-90; 8:45 am]

BILLING CODE 3510-21-M

Business Development Center Applications: San Diego, CA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: The Minority Business Development Agency (MBDA) announces that it is soliciting competitive applications under its

Minority Business Development Center (MBDC) program to operate an MBDC for approximately a 3 year period, subject to the availability of funds. The cost of performance for the first 12 months is \$346,800 in Federal funds and a minimum of \$61,200 in non-Federal contributions for the budget period April 1, 1991 to March 31, 1992. Cost-sharing contributions may be in the form of cash contributions, client fees for services, in-kind contributions, or combinations thereof. The MBDC will operate in the San Diego, California geographic service area.

The I.D. Number for this project will be 09-10-91003-01.

The funding instrument for the MBDC will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American Indian tribes and educational institutions.

The MBDC program is designed to provide business development services to the minority business community for the establishment and operation of viable minority businesses. To this end, MBDA funds organizations that can coordinate and broker public and private resources on behalf of minority individuals and firms; offer a full range of management and technical assistance; and serve as a conduit of information and assistance regarding minority business.

Applications will be evaluated on the following criteria: the experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (techniques and methodology) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programmatically acceptable and responsive.

MBDCs shall be required to contribute at least 15% of the total project cost through non-Federal contributions. Client fees for billable management and technical assistance (M&TA) rendered must be charged by MBDCs. Based on a standard rate of \$50 per hour, MBDCs will charge client fees at 20% of the total cost for firms with gross sales of \$500,000 or less and 35% of the total cost for firms with gross sales of over \$500,000.

The MBDC may continue to operate, after the initial competitive year, for up to 2 additional budget periods. Periodic reviews culminating in year-to-date quantitative and qualitative evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the discretion of MBDA based on such factors as an MBDC's satisfactory performance, the availability of funds and Agency priorities.

CLOSING DATE: The closing date for applications is October 30, 1990. Applications must be postmarked on or before October 30, 1990.

ADDRESS: San Francisco Regional Office, Minority Business Development Agency, U.S. Department of Commerce, 221 Main Street, Room 1280, San Francisco, California 94105, 415/744-3001.

A pre-application conference to assist all interested applicants will be held at the following address and time: Minority Business Development Agency, U.S. Department of Commerce, 221 Main Street, Room 1280, San Francisco, California 94105, October 10, 1990 at 9:30 a.m.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Iglehart, Acting Regional Director, San Francisco Regional Office.

SUPPLEMENTARY INFORMATION: Anticipated processing time of this award is 120 days. Executive Order 12372 "Intergovernmental Review of Federal Programs" is not applicable to this program. Questions concerning the preceding information, copies of application kits and applicable regulations can be obtained at the above address.

11.800 Minority Business Development
(Catalog of Federal Domestic Assistance)
Dated: September 18, 1990.

John F. Iglehart,
Acting Regional Director, San Francisco
Regional Office.

[FR Doc. 90-22544 Filed 9-27-90; 8:45 am]

BILLING CODE 2510-21-M

National Oceanic and Atmospheric Administration

[Docket No. 900943-0243]

Snapper-Grouper Fishery of the South Atlantic

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of control date for entry into the wreckfish fishery off the South Atlantic states.

SUMMARY: This notice announces that anyone entering the wreckfish fishery in

the Exclusive Economic Zone (EEZ) off the South Atlantic states between 30° and 33°N. latitude after March 28, 1990 (control date), may not be assured of future access to the wreckfish fishery in this area if a management regime is developed and implemented under the Magnuson Fishery Conservation and Management Act (Magnuson Act) that limits the number of participants in the fishery. This notice is intended to promote awareness of potential eligibility criteria for access to the wreckfish fishery in the aforementioned area and to discourage new entries into the fishery based on economic speculation while the South Atlantic Fishery Management Council (Council) continues discussions on whether and how fishery access to the wreckfish resource should be controlled. This announcement does not prevent establishment of any other date for eligibility in the fishery or another method of controlling fishing effort from being proposed by the Council or being implemented by the Secretary of Commerce (Secretary).

FOR FURTHER INFORMATION CONTACT: Robert A. Sadler, 813-893-3722.

SUPPLEMENTARY INFORMATION: Snapper-grouper species are managed under the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic (FMP) prepared by the Council, and its implementing regulations at 50 CFR part 646, under the authority of the Magnuson Act. Amendment 3 to the FMP proposes to add wreckfish to the snapper-grouper management unit and to implement conservation measures for wreckfish. For a document relating to implementation of Amendment 3, including discussion of the biological characteristics of wreckfish, description of the fishing grounds, and a discussion of the development of the fishery, see a proposed rule published elsewhere in this issue.

NOAA is publishing this notice separately from the proposed rule because NOAA considers that the control date is not properly a management measure that must be approved or disapproved by the Secretary under the procedures of the Magnuson Act. Although the Notice of Availability of the amendment, published on August 14, 1990, at 55 FR 33143, stated that the control date is a "proposed action," NOAA is following the normal procedures by announcing the control date in this Notice.

A recent, rapid increase in the number of vessels in the fishery, the limited area where fishable concentrations have been located, and the biological characteristics of wreckfish have caused

concern for the future viability of the fishery if effort remains unrestricted. The Council is investigating effective alternative controls on fishing effort, including those that govern access to the fishery.

The Council voted to establish March 28, 1990, as a control date for new entrants into the wreckfish fishery in the EEZ off the South Atlantic states between 30° and 33°N. latitude and requested that a notice be published in the *Federal Register* announcing that anyone entering the wreckfish fishery after the control date will not be assured of future participation if the Council develops, and the Secretary approves and implements, an effort-controlled fishery management regime limiting the number of participants in the fishery. The Council will evaluate participation in the fishery by documentation of landings of wreckfish prior to the control date.

In establishing a control date and making this announcement, the Council intends to discourage speculative entry into the wreckfish fishery while the Council discusses possible limited entry or access-controlled management regimes for the fishery. As the Council discusses development of a limited entry or access-controlled management regime, certain fishermen who do not currently fish for wreckfish, and never have done so, may decide to enter the fishery for the sole purpose of establishing a record of making commercial wreckfish landings. In the absence of a control date, such a record generally may be considered indicative of economic dependence on the fishery. On this basis, such fishermen may successfully lay claim to access to a wreckfish fishery that the Council may intend to be limited to traditional participants. New fishery entrants subsequent to the establishment of any limited entry or access-controlled system may have to buy the fishing rights or a permit from an existing participant. Hence, initial access to the fishery at little or no cost may result in a windfall gain when selling an access right to a new entrant subsequent to establishment of a limited entry or access program.

When management authorities begin to consider use of a limited access management regime, speculative entry into a fishery often is responsible for a rapid increase in fishing effort in fisheries already fully or over-developed. Those seeking possible windfall gain from a potential management change can exacerbate the original problems. To help distinguish *bona fide* and established wreckfish

fishermen from speculative entrants to the fishery, a fishery management council may set a control date before beginning discussions and planning of limited access regimes. As a result, fishermen are notified that entering the fishery after that date will not necessarily assure them of future access to the fishery resource on grounds of previous participation.

This establishment of a control date does not commit the Council or the Secretary to any particular management regime or criterion for entry into the wreckfish fishery. Fishermen are not guaranteed future participation in the wreckfish fishery, regardless of their date of entry or intensity of participation in the fishery before or after the control date. The Council may subsequently choose a different control date, or it may choose a management regime that does not make use of such a date. The Council is free to apply other qualifying criteria for fishery entry. The Council may give varying considerations to fishermen in the fishery before and after the control date. Finally, the Council also may choose to take no further action to control entry or access to the fishery.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: September 17, 1990.

Michael F. Tillman,

*Acting Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 90-22414 Filed 9-18-90; 3:53 pm]

BILLING CODE 3510-22-M

Taking and Importing of Marine Mammals

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of determination.

SUMMARY: The Assistant Administrator for Fisheries, NMFS, announces that the Government of Panama has not submitted documentary evidence to establish that the average rate of incidental taking of marine mammals by its tuna vessels did not exceed 2.0 times the average rate of incidental taking of marine mammals by U.S. tuna vessels during the same period. As a result, yellowfin tuna and tuna products from Panama cannot be imported into the United States until such time as documentary evidence is presented by the Government of Panama to demonstrate that the required standards for comparability have been met.

DATES: This filing is effective September 18, 1990 and remains until superseded.

FOR FURTHER INFORMATION CONTACT: E. Charles Fullerton, Regional Director,

or J. Gary Smith, Deputy Regional Director, Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, CA 90731, Phone: (213) 514-6196.

SUPPLEMENTARY INFORMATION: On March 30, 1990, the NMFS promulgated a final rule (55 FR 11921) to implement portions of the Marine Mammal Protection Act Amendments of 1988. This rule governs the importation of yellowfin tuna caught by purse seining in the eastern tropical Pacific Ocean (ETP). Additionally, on May 10, 1989 (54 FR 20171), the NMFS published a final determination to accept an alternative international observer coverage program for 1989, establishing observer coverage requirements for the non-U.S. tuna fleet in the ETP.

On August 28, 1990, the United States District Court for the Northern District of California ordered an embargo of all yellowfin tuna and yellowfin tuna products harvested with purse seines in the ETP by foreign nations until the Secretary of Commerce made affirmative findings based upon documentary evidence provided by the government of the exporting nation that the average rate of the incidental taking by vessels of such foreign nations is no more than 2.0 times that of United States vessels during the same period.

The Assistant Administrator, after consultation with the Department of State, finds that the Government of Panama has not submitted documentary evidence which establishes under the tuna importation provisions of 50 CFR 216.24(e), that the average rate of the incidental taking by its vessels is no more than 2.0 times that of the U.S. vessels during the same period. As a result of this negative finding, yellowfin tuna and tuna products from Panama cannot be imported into the United States until such time as further documentary evidence is presented by the Government of Panama that the required standards for a comparable program have been met.

The action taken to ban the importation of yellowfin and tuna products from Panama will initiate additional importation requirements for nations which export yellowfin tuna and tuna products to the United States and also import yellowfin tuna and tuna products from Panama. Under 50 CFR 216.24(e)(ix), intermediary nations must certify to the Assistant Administrator that they have acted within 60 days of the U.S. ban to prohibit imports of yellowfin tuna and tuna products from Panama.

Yellowfin tuna and tuna products from intermediary nations which fail to

provide such certification within 90 days will not be allowed to enter the United States.

Dated: September 18, 1990.

William W. Fox, Jr.,

*Assistant Administrator for Fisheries,
National Marine Fisheries Service.*

[FR Doc. 90-22496 Filed 9-18-90; 4:56 pm]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Establishment of the Navy Planning and Steering Advisory Committee

ACTION: Establishment of the Navy Planning and Steering Advisory Committee.

SUMMARY: Under the provisions of Public Law 92-463, "Federal Advisory Committee Act," notice is hereby given that the Navy Planning and Steering Advisory Committee (Navy PSAC) is being established.

The Navy PSAC will advise the Technology Panel of the Chief of Naval operations, Executive Board, and other Navy officials, regarding matters connected with ballistic missile security and anti-submarine warfare. The scope of the Navy PSAC advisory functions will encompass: Making in-depth technical assessments of U.S. and Soviet anti-submarine warfare developments and related technologies; critically reviewing programs which potentially impact on ballistic missile survivability, and, evaluating intelligence efforts to identify and define anti-submarine warfare and ballistic missile security and survivability threats.

The Navy PSAC will be composed of approximately 25 members, including both government and non-government individuals, who will represent well-balanced points of view and be experts in the subject areas to be examined. Non-government members will be selected from among technical experts and leaders in their respective fields from industry, academia, and private institutes. Government members will be chosen from such relevant disciplines as oceanography, naval intelligence, and undersea areas of scientific endeavors.

Dated: September 19, 1990.

Linda M. Bynum,

*Alternate OSD Federal Register Liaison
Officer, Department of Defense.*

[FR Doc. 90-22564 Filed 9-21-90; 8:45 am]

BILLING CODE 3810-01-M

DEPARTMENT OF EDUCATION

[CFDA No. 84.017]

International Research and Studies Program

AGENCY: Department of Education.**ACTION:** Notice inviting applications for new awards for fiscal year 1991 under the International Research and Studies Program.**PURPOSE:** The International Research and Studies Program provides grants to public and private agencies, organizations, institutions, and individuals to conduct research and studies to improve and strengthen instruction in modern foreign languages, area studies, and related fields needed to provide full understanding of the places in which the modern foreign languages are commonly used.**DEADLINE FOR TRANSMITTAL OF APPLICATIONS:**

November 20, 1990.

APPLICATIONS AVAILABLE: September 20, 1990.**AVAILABLE FUNDS:** The Administration's budget request includes \$1,450,000 for this program for FY 1991. However, the actual level of funding is contingent on final Congressional action.**ESTIMATED AVERAGE SIZE OF AWARDS:** \$72,500.**ESTIMATED NUMBER OF AWARDS:** 20.**Note:** The Department is not bound by any estimates in this notice.**PROJECT PERIOD:** 12 to 36 months.**APPLICABLE REGULATIONS:** (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 82, 85, and 88.

(b) The regulations for the International Research and Studies Program in 34 CFR parts 655 and 660.

PRIORITIES: Pursuant to 34 CFR 75.105(c), the Secretary gives a competitive preference to applications that meet one or more competitive priorities as well as an absolute preference to applications that meet one or more of the absolute priorities.**Competitive Priorities:** The Secretary gives a competitive preference to applications that meet one or more of the following priorities. These priorities are taken from the list of priorities established in the regulations governing this program (34 CFR 660.10 and 660.34).

(a) Applications which focus on the development of materials for one or more of the following regions:

(1) The Caribbean Basin, including Mexico, Belize, Honduras, El Salvador, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, and the island nations of the Caribbean Sea.

(2) Southern Africa, including the Republic of South Africa, Botswana, Namibia, Swaziland, Lesotho, Angola, Mozambique, Malawi, Zambia, and Zimbabwe.

(3) The Pacific Rim, defined as all of the area encompassing the Pacific littoral of East Asia, Southeast Asia, Australia, New Zealand, Latin America, and Canada.

(4) Central and Eastern Europe.

Under this competitive priority, the Secretary invites applications that study Central and Eastern Europe in the broader context of a unified Europe.

However, under 34 CFR 75.105(c)(1), an application that meets this invitational priority does not receive competitive or absolute preference over applications that do not meet this invitational priority.

(5) The Middle East, Inner Asia and Islamic Republics of the USSR.

Under this competitive priority, the Secretary invites applications that study the economic, social, and political aspects of the modern Middle East, Inner Asia and Islamic Republics of the USSR.

However, under 34 CFR 75.105(c)(1), an application that meets this invitational priority does not receive competitive or absolute preference over applications that do not meet this invitational priority.

(6) The European Community (EC).

Under this competitive priority, the Secretary invites applications that deal with the economic, social, and political aspects of the EC and the EC's interaction with other nations and regions of the world.

However, under 34 CFR 75.105(c)(1), an application that meets this invitational priority does not receive competitive or absolute preference over applications that do not meet this invitational priority.

(b) Applications for research that will serve to enhance international understanding.

Under this competitive priority, the Secretary invites applications that deal with—

(1) The relationship of trade, law, and monetary and economic policy to global stability;

(2) Conflicts and the resurgence of nationalism and regionalism;

(3) Environmental issues which cross national borders;

(4) The political mediation of ethnic and cultural differences within nations;

(5) Politics, law, and the economics of transition to democratic rule; and

(6) Geopolitical implications of north/south interrelationships in the contemporary world.

However, under 34 CFR 75.105(c)(1), an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over applications that do not meet these invitational priorities.

Under 34 CFR 75.105(c)(2)(i), an application that meets one or more of these competitive priorities in a particularly effective way receives from the Secretary up to 5 points in addition to any points the application earns under the selection criteria for the program.

Absolute Priorities: In accordance with 34 CFR 75.105(c)(3), the Secretary also gives an absolute preference to applications that meet one or more of the following priorities. The Secretary reserves a portion of the program's funds solely for applications that meet one or more of these priorities. The Secretary will establish the amount reserved for applications that meet these priorities after determining the number of high quality applications received. These absolute priorities are taken from the list of priorities established in the regulations governing this program (34 CFR 660.10 and 660.34).

(a) Applications that focus on one or both of the following topics:

(1) Effective methodology of instruction in modern foreign languages; and

(2) Language acquisition processes.

Under these absolute priorities, the Secretary invites study of the application of technology and development of special methodologies designed to reduce the amount of time required to train specialists in the uncommonly taught modern foreign languages and to ensure retention of language acquisition.

However, under 34 CFR 75.105(c)(1), an application that meets this invitation priority does not receive competitive or absolute preference over applications that do not meet this invitational priority.

(b) Applications that focus on evaluation of competency in foreign languages, area studies, or related fields.

Under this absolute priority, the Secretary invites applications that—

(1) Survey the extent to which U.S. commerce and industry commit themselves to employment and efficient utilization of individuals with background and training in modern foreign languages and area studies; and

(2) Survey comparative government spending at the national and state or provincial levels on modern foreign language competency and foreign area studies expertise for the Federal Republic of Germany, France, the United

Kingdom, Italy, Sweden, the Netherlands, Japan, Korea, Taiwan, Singapore, and Brazil.

However, under 34 CFR 75.105(c)(1), an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over applications that do not meet these invitational priorities.

(c) Applications for research that serves to enhance international understanding.

Under this priority, the Secretary invites applications that—

(1) Develop one or more models for the internationalization of university curricula; and

(2) Study the feasibility of U.S. participation in international programs for cross-national recognition of academic credit and credentials for academic purposes and entry into professions.

However, under 34 CFR 75.105(c)(1), an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over applications that do not meet these invitational priorities.

FOR APPLICATIONS OR INFORMATION

CONTACT: Jose L. Martinez, U.S. Department of Education, 400 Maryland Avenue SW., Room 3053, ROB-3, Washington, DC 20202-5331. Telephone: (202) 708-9297.

Authority: 20 U.S.C. 1125.

Dated: September 13, 1990.

Leonard L. Haynes III,

Assistant Secretary for Postsecondary Education.

[FR Doc. 90-22497 Filed 9-21-90; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

San Francisco Operations Office, Financial Assistance Award (Grant)

AGENCY: U.S. Department of Energy (DOE), San Francisco Operations Office.

ACTION: Notice of restriction of eligibility for award.

SUMMARY: The U.S. DOE, San Francisco Operations Office announces That it intends to award a grant to the Electric Power Research Institute, Palo Alto, CA, in the amount of \$25,000 to co-sponsor for the Fifth National Demand Side Management Conference to be held in Boston, MA from July 30 through 1 August 1991. Pursuant to DOE Financial Assistance Rules, 10 CFR 600.7(b)(2)(i), DOE/SAN has determined that it is restricting eligibility for this grant award to the Electric Power Research Institute under Criterion (2). A Determination of

Non-competitive Financial Assistance Award has been prepared and executed in accordance with applicable DOE policy. That determination is included in the contract (Grant) File.

Grant No. DE-FG03-90SF18788

SCOPE: The fifth National Utility Demand Side Management (DSM) Conference will provide an opportunity for utility and State energy efficiency program managers to meet and store current information on the planning and operation of utility DSM programs. The conference has two primary objectives: To facilitate the exchange of DSM research and implementation results and encourage the advancement of knowledge, and to publish and distribute the technical papers presented at the conference. DOE's contribution, \$25K, is approximately seven percent of the total conference cost. DOE has determined that co-sponsoring this conference would help fulfill its mandate to provide technical assistance under its Residential and Commercial Conservation Program.

FOR FURTHER INFORMATION CONTACT: W. E. "Bill" O'Neal, U.S. Department of Energy, San Francisco Operations Office, 1333 Broadway, Oakland, CA 94612.

Issued in Oakland, CA, September 13, 1990.

Kathleen M. Day,

Director, Contracts Management Division.

[FR Doc. 90-22559 Filed 9-21-90; 8:45 am]

BILLING CODE 6450-01-M

Financial Assistance Award: Yakima Indian Nation

AGENCY: U.S. Department of Energy (DOE), Richland Operations Office.

ACTION: Notice of intent to make a noncompetitive financial assistance award.

SUMMARY: The DOE, Richland Operations Office, Environmental Restoration Division in accordance with 10 CFR 600.7(b)(2), gives notice of its plan to award a noncompetitive grant to the Yakima-Indian Nation (YIN). Under the terms of the award, the YIN will conduct activities related to the protection of YIN treaty rights which may be impacted by activities associated with DOE's environmental restoration activities at the Hanford Site. This award implements elements of the DOE Five-Year Plan recognizing DOE's commitment to the participation of affected Indian tribes in the planning and implementation of the Five-Year Plan.

DOE has determined that award on a noncompetitive basis is appropriate

because the recipient is a unit of government and the activities to be supported are related to the performance of governmental functions within the jurisdiction of that unit of government, thereby precluding DOE provision of support to another entity. Since the award relates to agreements and treaties already made between the United States Government and the YIN, it would clearly be inappropriate for DOE to consider funding any other entity to be responsible for carrying out these activities. The duration of the grant shall be 12 months from the effective date of the award. The amount of funds awarded for this 12 month effort shall not exceed \$200,000.

FOR FURTHER INFORMATION CONTACT:

Marcia N. Roske, U.S. Department of Energy, Richland Operations Office, P.O. Box 550, Richland, WA 99352, Telephone: (509) 376-7265.

Dated: September 14, 1990.

Robert D. Larson,

Director, Procurement Division, Richland Operations Office.

[FR Doc. 90-22561 Filed 9-21-90; 8:45 am]

BILLING CODE 6450-01-M

San Francisco Operations Office; Financial Assistance Award (Cooperative Agreement)

AGENCY: U.S. Department of Energy, San Francisco Operations.

ACTION: Notice of restriction of eligibility for award.

SUMMARY: The Department of Energy, San Francisco Operations Office, announces that it intends to extend the cooperative agreement in the amount of \$100,000 for the 10MWe Solar Pilot Power Plant, Solar One for two years. Pursuant to the Assistance Rules, 10 CFR 600.7(b)(2)(i), DOE/SAN has determined that eligibility for this cooperative agreement award shall be limited to the Southern California Edison Company under criterion (A), continuation of an existing DOE cooperative agreement. In accordance with current agency guidance, a determination of noncompetitive financial assistance award has been approved by this office.

Cooperative Agreement No. DE-FC03-79SF10501

SCOPE OF PROJECT: The current, caretaker, status will be extended for two years pending a decision by the Department of Energy on whether to modify the plant for future experiments or to begin site restoration.

The Southern California Edison Company currently conducts research under DE-FC03-79SF10501. The proposed effort is a continuation of this cooperative agreement.

FOR FURTHER INFORMATION CONTACT:
W.E. "Bill" O'Neal, U.S. Department of Energy, San Francisco Operations Office, 1333 Broadway, Oakland, CA 94612.

Issued in Oakland, CA, September 14, 1990.

Kathleen M. Day,

Director, Contracts Management Division.

[FR Doc. 90-22560 Filed 9-21-90; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket Nos. CP90-1922-000, et al.]

East Tennessee Natural Gas Co., et al.; Natural Gas Certificate Filings

Take notice that the following filings have been made with the Commission:

1. East Tennessee Natural Gas Co.

[Docket No. CP90-1922-000]

September 11, 1990.

Take notice that on August 7, 1990, East Tennessee Natural Gas Company (Applicant), P.O. Box 10245, Knoxville,

Tennessee 37939-0245, filed an application in Docket No. CP90-1922-000 pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the interim increase in contract demands of certain of its customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to increase the contract demands of the following customers for the one-year period beginning November 1, 1990:

EAST TENNESSEE NATURAL GAS COMPANY CONTRACT DEMAND INCREASES

[Mcf 14.73 psia]

Customer	Rate schedule	Current CD	Proposed interim CD
Resale Customers:			
Zone 1—			
City of Athens.....	G-1	5100	5500
City of Cookeville.....	G-1	5500	6500
Elk River Public Ut. Dist.....	CR-1	12500	14000
City of Jamestown.....	SG-1	1900	2600
City of Knoxville.....	G-1	40000	46000
City of Lewisburg.....	G-1	4680	4800
City of Livingston.....	SG-1	1961	2281
City of Loudon.....	G-1	4400	8300
Town of Madisonville.....	SG-1	1150	1350
Middle Tennessee Ut. Dist.....	CR-1	24000	26000
Powell-Clinch Utility Dist.....	G-1	5800	6200
City of Rockwood.....	SG-1	3052	3500
Zone 2—			
Jefferson-Cooke Co. Utility Dist. Jefferson City.....	SG-2	3200	3400
Natural Gas Utility District of Hawkins County.....	G-2	4175	4500
Direct Sales Customers:			
Zone 1—			
Olin Corporation.....	(firm)	0	150

Applicant states that it proposes to utilize supplies purchased from Tenngasco Corporation to be delivered at the existing interconnections of Applicant and Tennessee Gas Pipeline Company, in the amount of 10,000 Mcf per day and winter service volumes purchased from Chattanooga Gas Company in the amount of 13,000 Mcf per day. Applicant indicates that the Tenngasco and Chattanooga supplies are for one year commencing November 1, 1990.

Applicant states that due to the location of the supplies entering the East Tennessee system, no facilities would be required to render the proposed contract demand increases.

Comment date: September 26, 1990, in accordance with Standard Paragraph F at the end of this notice.

2. Texas Gas Pipe Line Corp.

[Docket No. CP90-2163-000]

September 11, 1990.

Take notice that on September 10, 1990, Texas Gas Pipe Line Corporation (TGPL), P.O. Box 4000, The Woodlands, Texas 77387-4000, filed in Docket No. CP90-2163-000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon its 5.4 mile pipeline, 750 horsepower compressor unit and related facilities, which constitutes all of the facilities owned and operated by TGPL and to abandon the service rendered to its two customers, Texas Eastern Transmission Corporation (TETCO) and Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application on file with the Commission and open to public inspection.

TGPL states that it is authorized to provide sales service TO TETCO under Rate Schedule G-1 and to Transco

under Rate Schedule G-2 and a *de minimis* level of transportation service to TETCO under Rate Schedule T-1. It is stated that on May 10, 1990, TETCO reduced its takes (combined sales and transportation) to 866 Mcf per day. In addition, TETCO has advised TGPL that it would cease taking gas entirely on October 1, 1990. It is stated that TGPL's other customer, Transco, curtailed its purchases entirely on July 14, 1990 and then gave notice on August 21, 1990, of its intention to terminate its service agreement altogether. TGPL states that consequently it is now providing service at an intolerably low throughput level and, effective October 1, 1990, will have no throughput on its system at all. TGPL states that it has sought to renegotiate service agreements with its customers, but it has been to no avail, thus it must now seek abandonment of its jurisdictional operations. TGPL states that it seeks permission to abandon and sell to Winnie Pipeline Company, an

affiliated company its facilities at the depreciated book value.

Comment date: October 2, 1990, in accordance with Standard Paragraph F at the end of this notice.

3. Questar Pipeline Co. et al.

[Docket No. CP90-2145-000 et al.]

September 11, 1990.

Take notice that the above referenced companies (Applicants) filed in the respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the

Natural Gas Act for authorization to transport natural gas on behalf of various shippers under blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.¹

Information applicable to each transaction including the identity of the Shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of

the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by the Applicants and is included in the attached appendix.

The Applicants also state that each would provide the service for each shipper under an executed transportation agreement, and that the Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: October 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket No. (date filed)	Applicant	Shipper name	Peak day average annual ¹	Points of		Start up date rate schedule	Related dockets ²
				Receipt	Delivery		
CO90-2145-000 (9-6-90)	Questar Pipeline Co., 79 South State Street, Salt Lake City, UT 84111.	Coastal Gas Marketing Co.	5,000 3,000 225,000	WY, CO, UT.....	UT.....	7-12-90, IT-2.....	CP88-650-000, ST90-4111-000.
CP90-2146-000 (9-6-90)	Tennessee Gas Pipeline Co., P.O. Box 2511, Houston, TX 77252.	Stellar Gas Company.	1,000,000dth 1,000,000dth 365,000,000dth	TX, LA, Off TX, Off LA, MA, MS, AL, NJ, TN, WV, PA, OH, NY, CT, KY.	TX, LA, MA, NJ, MS, AL, WV, RI, PA, CT, TN, OH, KY, NY.	7-23-90, Int.....	CP87-115-000, ST90-4475-000.
CP90-2148-000 (9-6-90)	Tennessee Gas Pipeline Co., P.O. Box 2511, Houston, TX 77252.	Stellar Gas Company.	10,000,000dth 10,000,000dth 3,650,000,000dth	Off LA, Off TX, LA, TX, MS, AL.	LA, MS, KY, WV, OH, PA, NY, MA, NJ, TX, TN, AL, CT.	7-23-90, Int.....	CP87-115-000, ST90-4474-000.
CP90-2149-000 (9-6-90)	Tennessee Gas Pipeline Co., P.O. Box 2511, Houston, TX 77252.	Stellar Gas Company.	60,000dth 60,000dth 21,900,000dth	Off LA, Off TX, LA, TX, MS, AL.	MS, AL, TN, WV, NY, OH, KY, TX, LA, MA, PA.	7-23-90, Int.....	CP87-115-000, ST90-4473-000.
CP90-2150-000 (9-6-90)	Tennessee Gas Pipeline Co., P.O. Box 2511, Houston, TX 77252.	Stellar Gas Company.	1,000,000dth 1,000,000dth 365,000,000dth	Off TX, Off LA, TX, LA, MS, AL, NJ, OH, KY, TN.	TX, LA, MA, NY, NJ, MS, PA, WV, AL, RI, NH, CT, TN, OH, KY, AR.	7-24-90, Int.....	CP87-115-000, ST90-4472-000.

¹ Quantities are shown in MMBtu unless otherwise indicated.

² The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

4. Natural Gas Pipeline Co. of America

[Docket No. CP90-2134-000]

September 11, 1990.

Take notice that on September 5, 1990, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP90-2134-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to retain and operate existing delivery facilities located on Natural's Gulf Coast mainline in Piatt County, Illinois (University of Illinois delivery point) as a new delivery point for Illinois Power Company (Illinois Power), an existing firm sales customer of Natural, and for other jurisdictional services, including transportation services under subpart G

of part 284 of the Commission's Regulations.

It is stated that the delivery facilities consist of two 6-inch taps located on Natural's 30-inch and 36-inch Gulf Coast lines in Piatt County, Illinois. It is further stated that Natural completed construction of the taps on January 19, 1990, at a total cost of \$96,692. Natural states that the delivery facilities were originally constructed for and have been used solely for the transportation of natural gas pursuant to section 311(a)(1) of the Natural Gas Policy Act of 1978 and subpart B of part 284 of the Commission's Regulations. Natural also states that based on typical operating pressures, the maximum daily delivery capacity of the facilities is approximately 40,000 Mcf per day.

It is stated that Natural is currently providing transportation services at the

University of Illinois delivery point under Rate Schedules ITS and FTS pursuant to subpart B of part 284 of the Commission's Regulations. It is stated that Natural has received a request from Illinois Power for the delivery of sales gas under Natural's Rate Schedule DMQ-1 for Illinois Power at the University of Illinois delivery point. Natural states that this service would be accomplished without increasing the total certificated daily contract quantity of 90,000 Mcf per day under the service agreement between Natural and Illinois Power dated December 15, 1989. It is further stated that Natural and Illinois Power propose to shift delivery of 10,000 Mcf per day from the existing Deland, Illinois delivery point to the University of Illinois delivery point. Natural states that it has sufficient capacity to provide the requested level of firm sales

¹ These prior notice requests are not consolidated.

service for Illinois at the University of Illinois delivery point without detriment or disadvantage to Natural's peak day and annual delivery capability.

Comment date: October 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

5. Trunkline Gas Co. et al.

[Docket No. CP90-2138-000 et al.]

September 11, 1990.

Take notice that the above referenced companies (Applicants) filed in respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the

Natural Gas Act for authorization to transport natural gas on behalf of various shippers under blanket certificates issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.²

Information applicable to each transaction including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the

² These prior notice requests are not consolidated.

initiation service dates and related docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by the Applicants and is included in the attached appendix.

Applicants state that each of the proposed services would be provided under an executed transportation agreement, and that Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: October 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket No. (date filed)	Applicant	Shipper name	Peak day average, annual	Points of		Start up date, rate schedule	Related dockets ¹
				Receipt	Delivery		
CP90-2138-000 (9-5-90)	Trunkline Gas Company, P.O. Box 1642, Houston, TX 77251-1642.	Chevron U.S.A., Inc.	30,000Mcf 30,000Mcf 10,950,000Mcf	IL, LA, TN, TX, Off. LA, Off. TX.	Off. LA	7-1-90, PT	CP86-586-000, ST90-4303-000.
CP90-2139-000 (9-5-90)	Trunkline Gas Company, P.O. Box 1642, Houston, TX 77251-16432.	Bethlehem Steel Corp.	2,199Mcf 2,199Mcf 802,635Mcf	IL, LA, TN, TX, Off. LA, Off. TX.	IL	7-1-90, PT	CP86-586-000, ST90-4302-000.
CP90-2140-000 (9-5-90)	Williams Natural Gas Company, P.O. Box 3288, Tulsa, Oklahoma 74101.	Ladd Gas Marketing, Inc. and Powersmith Cogeneration Project Limited Partnership.	27,400dth 27,400dth 3,288,000dth	KS, OK, WY	OK	8-18-90, ITS	CP86-631-000, ST90-4452-000.
CP90-2141-000 (9-5-90)	Tennessee Gas Pipeline Company, P.O. Box 2511, Houston, TX 77252.	Cimarron Gas Transmission, Inc.	20,400dth 20,400dth 7,446,000dth	LA, MS, AL	AL, MS, MA, TN	8-1-90, IT	CP87-115-000, ST90-4374-000.
CP90-2142-000 (9-5-90)	Tennessee Gas Pipeline Company, P.O. Box 2511, Houston, TX 77252.	Victoria Gas Corporation.	110,000dth 110,000dth 40,150,000dth	Off. TX, Off. LA, LA, TX, NY.	LA, MA, AL, PA, CT, TN, MS, WV, TX, KY.	8-1-90, IT	CP87-115-000, ST90-4470-000.

¹ The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

6. Natural Gas Pipeline Co. of America; Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90-2156-000, CP90-2157-000]

September 11, 1990.

Take notice that Natural Gas Pipeline Company of America, 701 East 22nd Street, Lombard, Illinois 60148, and Northern Natural Gas Company, Division of Enron Corp., 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251-1188 (Applicants), filed in the above-referenced dockets prior notice

requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under the blanket certificates issued in Docket No. CP86-582-000 and Docket No. CP86-435-000, respectively, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.³

³ These prior notice requests are not consolidated.

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related ST docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by Applicants and is summarized in the attached.

Comment date: October 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket number (date filed)	Shipper name (type)	Peak day average day annual MMBtu	Receipt points	Delivery points	Contract date, rate schedule, service type	Related docket, start up date
CP90-2156-000 (9-7-90)	Louis Dreyfus Energy Corporation (marketer).	100,000 40,000 14,600,000	Various.....	Various.....	1-5-90, ¹ ITS, Interruptible.	ST90-4626-000, 7-1-90.
CP90-2157-000 (9-7-90)	PSI, Inc. (marketer).....	20,657 15,493 7,539,805	Offshore Texas.....	Iowa	7-1-90, IT-1, Interruptible.	ST90-4108-000, 7-1-90.

¹ As amended March 20, 1990

7. Paiute Pipeline Co.

[Docket No. CP90-2130-000]

September 11, 1990.

Take notice that on September 5, 1990, Paiute Pipeline Company (Paiute), P.O. Box 94197, Las Vegas, Nevada 89193-4197, filed in Docket No. CP90-2130-000 a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to construct, install and operate a new sales tap and abandon two minor sales taps for providing the sale for resale and delivery of natural gas to Southwest Gas Corporation—Northern Nevada (Southwest), a local distribution company, under Paiute's blanket certificate issued in Docket No. CP84-739-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Paiute proposes to construct and operate a new city gate, referred to as the Stagecoach City Gate, and to abandon two minor sales taps, referred to as the Stagecoach Road and Max Calico Residence taps, located near the

intersection of Paiute's Yerington and Carson laterals in Lyon County, Nevada. It is stated that the proposed new sales tap and the abandonment of the two existing minor sales taps would enable Paiute to efficiently provide additional quantities of natural gas to Southwest.

Paiute states that proposed additional deliveries to Southwest would be within the current authorized sales entitlement for Southwest. Paiute states further that it would be reimbursed by Southwest for all costs associated with the construction of the Stagecoach City Gate and the abandonment of the two minor sales taps.

Comment date: October 26, 1990, in accordance with Standard Paragraph G at the end of this notice.

8. Sabine Pipe Line Co.

[Docket No. CP90-1981-000]

September 12, 1990.

Take notice that the above referenced company (Applicant) filed in Docket No. CP90-1981-000 a prior notice request pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to

transport natural gas on behalf of a shipper under its blanket certificate issued pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice request which is on file with the Commission and open to public inspection.

Information applicable to the transaction including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket number and initiation date of the 120-day transaction under § 284.223 of the Commission's Regulations has been provided by the Applicant and is included in the attached appendix.

The Applicant also states that it would provide the service for the shipper under an executed transportation agreement, and that the Applicant would charge rates and abide by the terms and conditions of the referenced transportation rate schedule.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket Number (date filed)	Applicant	Shipper name	Peak Day ¹ avg. annual	Points of		Start up date rate schedule	Related dockets ²
				Receipt	Delivery		
CP90-1981-000 (8-31-90) ³	Sabine Pipe Line Company, P.O. Box 4781, Houston, TX 77210-4781.	Union, Exploration Partners, Ltd..	5,000 5,000 5,475,000	Off. LA.....	Off. LA.....	4-20-89, IT-1	CP 86-522-000, ST89-4125-000.

¹ Quantities are shown in MMBtu unless otherwise indicated.

² The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

³ The request was tendered for filing on August 14, 1990; however, the fee required by Section 381.208 of the Commission's Rules was not paid until August 31, 1990. Section 381.103 of the Commission's Rules provides that the filing date is the date on which the fee is paid.

9. Trunkline Gas Co.

[Docket Nos. CP90-2171-000, CP90-2172-000]

September 12, 1990.

Take notice that on September 10, 1990, Trunkline Gas Company (Applicant), P.O. Box 1642, Houston, Texas 77251-1642, filed in the above referenced dockets, prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to

transport natural gas on behalf of various shippers under its blanket certificate issued in Docket No. CP86-536-000, pursuant to section 7 to the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.⁴

⁴ These prior notice requests are not consolidated.

Information applicable to each transaction, including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations has been provided by Applicant and is summarized in the attached appendix.

Applicant states that each of the proposed services would be provided under an executed transportation agreement, and that Applicant would

charge rates and abide by the terms and conditions of the referenced transportation rate schedule(s).

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket No. (date filed)	Shipper name	Peak day avg. annual ²	Points of ³		Start up date, rate schedule, service type	Related docket contract date ¹
			Receipt	Delivery		
CP90-2171-000 (9-10-90)	Hadson Gas Systems, Inc.....	50,000 50,000 18,250,000	OLA	OLA	8-1-90, PT, Interruptible.	ST90-4382-000, 8-7-90.
CP90-2172-000 (9-10-90)	Alsey Refractories Company.....	385 385 140,525	IL, LA, OLA, OTX, TN, TX	IL	8-1-90, PT, Interruptible.	ST90-4377-000, 8-7-90.

¹ If an ST docket is shown, 120-day transportation service was reported in it.

² Quantities are shown in Mcf.

³ Offshore Louisiana and Offshore Texas are shown as OLA and OTX.

10. Midwestern Gas Transmission Co. et al.

[Docket No. CP90-2147-000 et al.]

September 12, 1990.

Take notice that Midwestern Gas Transmission Company, P.O. Box 2511, Houston, Texas 77252, Trunkline Gas Company, P.O. Box 1642, Houston, Texas 77251-1642, and Alabama-Tennessee Natural Gas Company, P.O. Box 918, Forence, Alabama 35631, (Applicants), filed in the above-referenced dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the

Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under the blanket certificates issued in Docket No. CP90-174-000, Docket No. CP86-586-000, and Docket No. CP89-2201-000, respectively, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.⁵

Information applicable to each transaction, including the identity of the

shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related ST docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by Applicants and is summarized in the attached appendix.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

⁵ These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day average day annual Dth	Points of		Contract date rate schedule service type	Related Docket, start up date
			Receipt	Delivery		
CP90-2147-000 (9-6-90)	Nortech Energy Corporation (Marketer).	20,000 20,000 7,300,000	TX, LA, OLA, OTX	TN, IL, IN, KY	7-20-90, IT, Interruptible.	ST90-4566-000, 8-1-90.
CP90-2151-000 (9-6-90)	Panhandle Trading Company (Marketer).	125,000 125,000 45,625,000	TX, LA, IL TN, OLA, OTX	IL	11-20-90, PT, Interruptible.	ST90-4384-000, 8-1-90.
CP90-2153-000 (9-7-90)	PSI, Inc. (Marketer).	20,000 20,000 7,300,000	Various	Various	5-15-90, IT, Interruptible.	ST90-4386-000, 8-15-90.

¹ Offshore Louisiana and offshore Texas are shown as OLA and OTX.

11. Williston Basin Interstate Pipeline Co.

Docket No. CP90-2178-000 ⁶ et al.]

September 13, 1990.

Take notice that the above reference companies (Applicants) filed in the above referenced dockets, prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under their blanket certificates issued pursuant to

section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection and in the attached appendix.

Information applicable to each transaction including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of the 120-day transactions under § 284.223 of the Commission's Regulations has

been provided by the Applicants and is included in the attached appendix.

The Applicants also states that each would provide the service for each shipper under an executed transportation agreement, and that the Applicants would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

⁶ These prior notice requests are not consolidated.

Docket number	Applicant	Shipper name	Peak day ¹ avg. annual	Points of		Start up date, rate schedule, service type	Related dockets ²
				Receipt	Delivery		
CP90-2176-000	Williston Basin Interstate Pipeline Company 304 East Rosser Avenue Bismarck, ND 58501.	Rainbow Gas Company.	66,100 9,243 24,126,500	WY.....	WY.....	8-1-90, IT-1 Interruptible.	CP89-1118-000, ST90-4613-000.
CP90-2179-000	Northern Natural Gas Company, Div. of Enron Corp. P.O. Box 1188 Houston, TX 77251.	Enron Gas Marketing.	20,000 15,000 7,300,000	Various.....	Various 7-3-90, IT- 1, Interruptible.	CP86-435-000 ST90-3938-000..	
CP90-2186-000 U- TOS System Supply P.O. Box 1396 Houston, TX 77251	Wisconsin Southern Gas Company,	85,000..... 85,000..... 31,025,000.....	Off. LA	LA.....	8-1-90, IT, Interruptible.	Order No. 590, ST90-4488-000..	

¹ Quantities are shown in MMBtu unless otherwise indicated.

² The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

12. ANR Pipeline Co.

[Docket No. CP90-2186-000 et al.]

September 13, 1990.

Take notice that the above referenced company (Applicant) filed in the respective dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under its blanket certificate issued pursuant to section 7

set forth in the prior notice requests which are on file with the Commission and open to public inspection.⁷

Information applicable to each transaction including the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of the 120-day transactions under § 284.223 of the Commission's Regulations has

⁷ These prior notice requests are not consolidated.

of the Natural Gas Act, all as more fully been provided by the Applicant and is included in the attached appendix.

The Applicant also states that it would provide the service for each shipper under an executed transportation agreement, and that the Applicant would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

Comment date: September 29, 1990, in accordance with Standard Paragraph F at the end of the notice.

Docket number (date filed)	Applicant	Shipper name	Peak day avg. annual/ 1/	Points of		Start up date rate schedule	Related dockets / 2/
				Receipt	Delivery		
CP90-2163-000 9-10-90	ANR Pipeline company, 500 renaissance Center, Detroit, MI 48243.	Chevron U.S.A. Inc.	15,000dth 15,000dth 5,475,000dth	Off LA.....	Off LA, LA.....	7-12-90, ITS.....	CP88-532-000, ST90-4229-000.
CP90-2167-000 9-10-90	ANR Pipeline Company, 500 Renaissance Center, Detroit, MI 48243.	Kerr-McGee Corp.	60,000dth 60,000dth 21,900,000dth	LA, TX, Off LA, Off TX.	Off LA.....	7-26-90, ITS.....	CP88-532-000, ST90-4231-000.
DP90-2168-000 9-10-90	ANR Pipeline company, 500 Renaissance Center, Detroit, MI 48243.	Consolidated Fuel Corp.	10,000dth 10,000dth 3,650,000dth	MI.....	MI.....	7-19-90, ITS.....	CP88-532-000, ST90-4232-000.
CP90-2169-000 9-10-90	ANR Pipeline Company 500 Renaissance Center Detroit, MI 48243.	Mobil Natural Gas, Inc.	100,000dth 100,000dth 36,500,000dth	LA, OK, KS, TX, WI, Off TX, Off LA.	MI.....	7-19-90, ITS.....	CP88-532-000, ST90-4233-000.

¹ Quantities are shown in MMBtu unless otherwise indicated.

² The CP docket corresponds to applicant's blanket transportation certificate. If an ST docket is shown, 120-day transportation service was reported in it.

13. Northern Natural Gas Co., Division of Enron Corp.

[Docket No. CP90-2165-000]

September 13, 1990.

Take notice that on September 10, 1990, Northern Natural Gas Company, Division of Enron Corp. (Northern), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP90-2165-000, a request pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205) for authorization to install and operate a new delivery point and appurtenant facilities as a jurisdictional sales facility to accommodate natural gas deliveries to Midwest Gas, a Division of Iowa Public Service Company (Midwest), a local distribution company, certain appurtenant facilities, under the authorization issued in Docket No. CP82-401-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Specifically, Northern proposes to install and operate one new small volume measurement station tap for use as a jurisdictional sales delivery point to Midwest under Northern's Rate Schedules CD-1, SS-1, WPS-1 and PS-1 so that Midwest may serve Malco Manufacturing (Malco), a commercial end-user located in Wright County, Minnesota. Northern states that installation of the proposed facilities will be financed in accordance with Paragraph 2 of the General Terms and Conditions of Northern's FERC Gas Tariff, Third Revised Volume No. 1.

Northern estimates the total cost to construct the proposed delivery point at \$6,000, which cost Midwest will be required to reimburse Northern.

Northern states that it estimates that the peak day and annual volumes that would be delivered to Midwest at the proposed delivery point for Malco would be 63 Mcf and 2,100 Mcf, respectively. Northern further states that the required volumes for Malco would be within the currently authorized level of firm entitlements for Midwest as authorized in Docket No. CP89-1209-000, on June 15, 1989. According to Northern, these volumes are also within the reduced levels of service, which reflect Midwest's third-year conversions of sales entitlements to transportation which is pending in Docket No. CP90-1595-000. Northern states that the proposed volumes for Malco will be served from the total entitlements currently assigned to the community of Annandale, Minnesota. Northern avers that there will not be any firm entitlements assigned to Malco.

Northern states that the total volumes of gas to be delivered to the customer after the request do not exceed the total volumes authorized prior to the request. Northern further states that the proposal is not prohibited by its existing tariff and that it has sufficient capacity to accomplish the changes proposed without detriment or disadvantage to its other customers.

Northern states that to insure compliance with § 157.206(d) of the Commission's Regulations, it will contact the applicable State Historic Preservation Office as well as the U.S.

Fish and Wildlife Service with regard to the specific details of the proposal contained herein.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

14. U-T Offshore System

[Docket No. CP90-2159-000 et al.]

September 13, 1990.

Take notice that on September 7, 1990, U-T Offshore System (U-TOS), 2800 Post Oak Boulevard, P.O. Box 1396, Houston, Texas 77251, filed requests with the Commission in the above referenced dockets pursuant to § 157.205 of the Commission's Regulations under the Natural Gas Act (NGA) for authorization to transport natural gas on behalf of various shippers under U-TOS' blanket certificate issued by the Commission's Order No. 509, pursuant to section 7 of the NGA, corresponding to the rates, terms, and conditions filed in Docket Nos. RP88-14-001 and RM88-15-000, all as more fully set forth in the requests which are open to public inspection.

U-TOS has provided applicable information for each transaction, including the shipper's identity; the peak day, average day, and annual volumes; the receipt and delivery points; the appropriate transportation rate schedule for the service; the related ST docket numbers and service initiation dates of the 120-day transactions under § 284.223(a) of the Regulations, as summarized in the attached appendix.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

Docket No. (date filed)	Shipper name (type)	Peak day average day annual Mcf	Points of		Contract date rate schedule service type	Related docket, startup date
			Receipt ¹	Delivery		
CP90-2159-000 (9-7-90)	Northwestern Mutual Life Insurance Co. (Producer).	115,000 115,000 41,975,000	OLA.....	LA.....	7-1-90, IT, Interruptible.	ST90-4309-000, 7-27-90.
CP90-2160-000 (9-7-90)	Tejas Power Corporation (Marketer).	350,000 350,000 127,750,000	OLA.....	LA.....	7-19-90, IT, Interruptible.	ST90-4310-000, 7-27-90.
CP90-2161-000 (9-7-90)	American Central Gas Marketing Company (Marketer).	100,000 100,000 36,500,000	OLA.....	LA.....	7-1-90, IT, Interruptible.	ST90-4288-000, 7-17-90.

¹ Offshore Louisiana and offshore Texas are shown as OLA and OTX.

15. Texas Eastern Transmission Corp.

[Docket No. CP90-2170-000]

September 13, 1990.

Take notice that on September 10, 1990, Texas Eastern Transmission Corporation (TETCO), P.O. Box 2521, Houston, Texas 77252-2521, filed in Docket No. CP90-2170-000, a request pursuant to § 157.205 of the Commission's Regulations under the

Natural Gas Act (18 CFR 157.205) for authorization to add a new bidirectional point to its existing service agreement with Tejas Power Corporation (Tejas) under the authorization issued in Docket No. CP82-535-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Pursuant to § 157.212 of the Commission's Regulations, as amended, TETCO proposes to add a new delivery point, M&R Station No. 7122, to its service agreement covering service to Tejas under TETCO's Rate Schedule IT-1 of its FERC Gas Tariff, Fifth Revised Volume No. 1. TETCO states that it had entered into a service agreement with Tejas dated January 23, 1989, pursuant

to section 311 of the Natural Gas Policy Act of 1978. However, TETCO avers that under the provisions of the Commission's Interim Rule in Docket No. RM90-13 issued August 13, 1990, such agreement no longer qualified under the stricter interpretation of the "on behalf of" standard and was converted to service pursuant to TETCO's blanket transportation certificate issued in Docket No. CP88-136-000. As a result, TETCO states that it entered into a restated service agreement with Tejas dates August 21, 1990 for Rate Schedule IT-1 service.

TETCO states that no new facilities are to be constructed and that M&R Station No. 7122 is located in Chambers County, Texas where TETCO's pipeline system interconnects with pipeline facilities owned by Tejas.

TETCO states that the service agreement establishes a Maximum Daily Transportation Quantity (MDTQ) for Rate Schedule IT-1 of 293,000 dekatherms (Dth). According to TETCO, there will be no increase in the total contract quantities, and that the natural gas quantities delivered to Tejas will be utilized as storage cushion gas by Tejas.

TETCO further states that the addition of M&R Station No. 7122 will have no effect on its peak day or annual deliveries. To the extent that deliveries are made at M&R Station No. 7122, TETCO states that deliveries may be reduced at the other points on a day-to-day operational basis. Therefore, TETCO submits that the addition of this new delivery point to the service agreement as proposed will not result in any change in the total contract quantities under the Rate Schedule IT-1 agreement. TETCO states that its existing tariff does not prohibit the addition of M&R Station No. 7122 and that the proposal herein will be accomplished without detriment or disadvantage to its other customers.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

16. Colorado Interstate Gas. Co.

[Docket No. CP90-2191-000, Docket No. CP90-2192-000]

September 13, 1990.

Take notice that on September 12, 1990, Colorado Interstate Gas Company (CIG), Post Office Box 1087, Colorado Springs, Colorado 80944, filed in Docket

Nos. CP90-2191-000 and CP90-2192-000 requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under CIG's blanket certificate issued in Docket No. CP86-589-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection.⁸

Information applicable to each transaction, including the identity of the shipper, the relative rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by CIG and is summarized in the attached appendix. It is explained that the gas would be received by CIG at designated points on its system in Wyoming and would be delivered for the shipper's accounts at designated points of interconnection.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

⁸ These prior notice requests are not consolidated.

Docket No.	Shipper	Volumes— Mcf peak, avg., annual	Related docket ¹	Commence- ment date	Rate schedule
CP90-2191-000	Phillips Pipe Line Company	200	ST90-3741	7/1/90	TF-1.
		200			
		73,000			
CP90-2192-000	LL&E Gas Marketing, Inc.	75,000	ST90-4520	8/15/90	TI-1.
		20,000			
		7,300,000			

¹ CIG reported the 120-day transportation service in the referenced ST dockets.

7. Natural Gas Pipeline Co. of America

[Docket No. CP90-2188-000 et al.]

September 13, 1990.

Take notice that Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, and Florida Gas Transmission Company (Florida Gas), 1400 Smith Street, P.O. Box 1188, Houston, Texas 77251-1188, (Applicants), filed in the above-referenced dockets prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to

transport natural gas on behalf of various shippers under the blanket certificate issued to Natural in Docket No. CP86-582-000 and under the blanket certificate issued to Florida Gas by the Commission's Order No. 509 corresponding to the rates, terms and conditions filed in Docket Nos. RP89-50, et al.; in both instances pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the requests that are on file with the Commission and open to public inspection.⁹

Information applicable to each transaction, including the identity of the

shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day and annual volumes, and the initiation service dates and related ST docket numbers of the 120-day transactions under § 284.223 of the Commission's Regulations, has been provided by Applicants and is summarized in the attached appendix.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

⁹ These prior notice requests are not consolidated.

Docket No. (date filed)	Shipper name (type)	Peak day average day annual MMBtu	Points of		Contract date rate schedule service type	Related docket start up date
			Receipt	Delivery		
CP90-2188-000 (9-12-90)	Gas Energy Development Company (Marketer).	50,000 25,000 9,125,000	Various	Various	3-21-90 ITS Interruptible.	ST90-4149-000, 7-7-90.
CP90-2189-000 (9-12-90)	Amoco Production Company (Producer).	250,000 187,000 91,250,000	Various ¹	TX, LA, MS, AL, FL	2-23-90 ITS-1 Interruptible.	ST90-4431-000, 8-1-90.
CP90-2190-000 (9-12-90)	Enron Gas Marketing Inc. (Marketer).	565,260 423,945 206,319,900	Various ¹	TX, LA, MS, AL, FL	2-23-90 ITS-1 Interruptible.	ST90-4442-000, 8-1-90.

¹ Receipt points are listed in the Appendix to Florida Gas' Rate Schedule PTS-1.

18. Tennessee Gas Pipeline Co.

[Docket No. CP90-2111-000]

September 13, 1990.

Take notice that on August 31, 1990, Tennessee Gas Pipeline Company (Tennessee), P.O. Box 2511, Houston, Texas 77252, filed in Docket No. CP90-2111-000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon certain pipeline facilities located in Vermilion Parish, Louisiana, all as more fully detailed in the application which is on file with the Commission and open to public inspection.

Tennessee proposes to abandon approximately 8 miles of pipeline which was originally installed to receive gas into Tennessee's system from various producers. It is stated that Tennessee has not received gas from these producers for several years prior to 1989 and that all gas purchase agreements with these producers had been terminated. It is asserted that Tennessee has determined that the repairs needed to restore the facilities to operating conditions would cost an estimated \$250,000 and could not be justified. Tennessee proposes to abandon the facilities by selling them to Reese Energy Corporation (Reese), a producer of natural gas, which would operate them as gathering facilities. It is asserted that any repairs needed would be made at Reese's expense. It is explained that any gas which might become available in the future from the producers attached to the subject facilities would be received into Tennessee's system at the point where the facilities interconnect with Tennessee's system, with the shippers

being responsible for transportation to that point.

Comment date: October 4, 1990, in accordance with Standard Paragraph F at the end of this notice.

19. ANR Pipeline Co.

[Docket No. CP90-2152-000]

September 13, 1990.

Take notice that on September 6, 1990, ANR Pipeline Company (ANR), 500 Renaissance Center, Detroit, Michigan 48243, filed in Docket No. CP90-2152-000 an application pursuant to section 7(b) of the natural Gas Act for permission and approval to abandon a transportation service which ANR was providing for Southern Natural Gas Company (Southern), all as more fully detailed in the application which is on file with the Commission and open to public inspection.

ANR proposes to abandon the service in which the Commission authorized ANR in an order issued December 10, 1984, in Docket No. CP84-658-000, to transport up to 4,000 Mcf of natural gas per day for Southern from Tensas Parish, Louisiana, to St. Mary Parish, Louisiana, amended July 22, 1986, to provide for the transportation of an additional 2,750 Mcf per day. It is stated that Southern advised ANR in a letter dated May 25, 1990, that it wished to terminate the transportation agreement, on file with the Commission as Rate Schedule X-146, effective January 12, 1991. It is asserted that the proposed abandonment would not involve any abandonment of facilities. It is further asserted that there would be no adverse impact on Southern's customers, because ANR would be the only customer affected.

Comment date: October 4, 1990, in accordance with Standard Paragraph F at the end of this notice.

20. United Gas Pipe Line Co.

Docket Nos. CP90-2180-000¹⁰

September 14, 1990.

Take notice that on September 11, 1990, United Gas Pipe Line Company (United), P.O. Box 1478, Houston, Texas 77251-1478, filed in the above referenced dockets, prior notice requests pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authorization to transport natural gas on behalf of various shippers under its blanket certificate issued in Docket No. CP88-6-000, pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the prior notice requests which are on file with the Commission and open to public inspection and in the attached appendix.

Information applicable to each transaction including the contract number, the identity of the shipper, the type of transportation service, the appropriate transportation rate schedule, the peak day, average day, and annual volumes, and the docket numbers and initiation dates of the 120-day transactions under 284.223 of the Commission's Regulations has been provided by the United and is included in the attached appendix.

It is stated that United would provide the proposed service for each shipper under an executed transportation agreement and would charge rates and abide by the terms and conditions of the referenced transportation rate schedules.

¹⁰ These prior notice requests are not consolidated.

Docket No. (Contract No.)	Applicant	Shipper name	Peak day avg. annual ¹	Points of		Start Up Date Rate Schedule Service Type	Related Dockets ²
				Receipt	Delivery		
CP90-2180-000 (2659)	United Gas Pipe Line Company.	Polaris Pipeline Company.	51,500 51,500 18,797,500	TX	LA	7-13-90 ITS Interruptible.	ST90-4411-000.
CP90-2181-000 (1812)	United Gas Pipe Line Company.	Texaco, Inc.	51,500 51,500 13,797,500	TX	TX	8-8-90 ITS Interruptible.	ST90-4388-000.
CP90-2182-000 (4353)	United Gas Pipe Line Company.	Kerr-McGee Corporation.	154,500 154,500 56,392,500	LA, TX, MS, & AL	LA, FL, AL, & MS.....	7-24-90 ITS Interruptible.	ST90-4389-000.
CP90-2183-000 (4353)	United Gas Pipe Line Company.	Kerr-McGee Corporation.	154,500 154,500 56,392,500	LA, TX, MS, & LA	LA, AL, MS, & FL.....	7-6-90 ITS Interruptible.	ST90-3990-000.
CP90-2184-000 (1912)	United Gas Pipe Line Company.	Polaris Pipeline Company.	25,750 25,750 9,398,750	TX & LA	TX	7-13-90 ITS Interruptible.	ST90-4412-000.
CP90-2185-000 (1812)	United Gas Pipe Line Company.	Texaco, Inc.	51,500 51,500 18,797,500	TX & LA	TX	8-6-90 ITS Interruptible.	ST90-4338-000.

¹ Quantities are shown in MMBtu.² The ST docket represents that a 120-day transportation service was reported in it.**21. Columbia Gas Transmission Corp.**

[Docket No. CP90-678-001]

September 14, 1990.

Take notice that on September 6, 1990,¹ Columbia Gas Transmission Corporation (Columbia Gas), Post Office Box 1273, Charleston, West Virginia 25325, filed a petition in Docket No. CP90-678-001 to amend its pending application in Docket No. CP90-678-000 to reflect the rearrangement of deliveries on its system so that it could implement a firm sales service to Piedmont Natural Gas Company (Piedmont), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Columbia Gas states in its original application that for Columbia Gas to commence service to Piedmont it would be necessary for Commonwealth Pipeline Corporation (Commonwealth) to construct approximately 11.6 miles of 24-inch pipeline in Virginia and install one 650 horsepower compressor unit at the new Boswell Compressor Station. It is indicated that on August 2, 1990, Columbia Gas advised the Commission staff that Commonwealth had encountered difficulties with the precise location of the Boswell Compressor Station which would delay construction of the station past November 1, 1990. Columbia Gas further states that it would still have the ability to provide the service to Piedmont effective November 1, 1990, by rearranging the deliveries of natural gas to Transcontinental Gas Pipe Line

Corporation (Transco) for Piedmont's account without the installation of Commonwealth's proposed Boswell Compressor Station, on a temporary basis. Columbia now proposes that the 30,000 dt equivalent of natural gas per day of temporary service for the 1991 contract year would be provided directly to Piedmont by Transco. Columbia Gas proposes that to supply the volumes it would back off deliveries from Transco at the following receipt points:

10,000 Dt/day—Downingtown, Chester County, Pennsylvania

10,000 Dt/day—Dranesville-Rockville, Montgomery County, Maryland

10,000 Dt/day—Emporia, Greensville County, Virginia

Comment date: October 5, 1990, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

22. Natural Gas Pipeline Co. of America

[Docket No. CP90-2162-000]

September 14, 1990.

Take notice that on September 7, 1990, Natural Gas Pipeline Company of America (Natural), 701 East 22nd Street, Lombard, Illinois 60148, filed in Docket No. CP90-2162-000 a request pursuant to § 157.205 of the Commission's Regulations (18 CFR 157.205) for authorization to transport natural gas on behalf of Acacia Gas Corporation (Acacia), a marketer of natural gas, under Natural's blanket certificate issued in Docket No. CP86-582-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Natural proposes to transport, on a interruptible basis, up to 50,000 MMBtu equivalent of natural gas on a peak day (plus any additional volumes accepted pursuant to the overrun provisions of Natural's Rate Schedule ITS), 25,000 MMBtu equivalent on an average day and 9,125,000 on an annual basis for Acacia. It is stated that Natural would receive the gas at existing interconnections in Arkansas, Colorado, Iowa, Illinois, Kansas, Louisiana, Texas, offshore Louisiana, offshore Texas, Missouri, Nebraska, New Mexico, and Oklahoma, and would deliver equivalent volumes at points on Natural's system in Kansas, Oklahoma, Louisiana, Texas, offshore Louisiana, offshore Texas, Illinois, Missouri, New Mexico, Iowa, Colorado, Arkansas and Nebraska. It is asserted that the transportation would be affected using existing facilities and that no construction of additional facilities would be required. It is explained that the transportation service commenced July 1, 1990, under the self-implementing authorization of § 284.223 of the Commission's Regulations, as reported in Docket No. ST90-4625.

Comment date: October 29, 1990, in accordance with Standard Paragraph G at the end of this notice.

23. Texas Gas Transmission Corporation

[Docket No. CP90-688-001]

September 14, 1990.

Take notice that on September 4, 1990, Texas Gas Transmission Corporation (Applicant), P.O. Box 1160, Owensboro, Kentucky 42302, filed in Docket No. CP90-688-001 an amendment to its pending application, filed February 2, 1990, in Docket No. CP90-688-001 pursuant to section 7(c) of the Natural

¹ The petition was tendered for filing on August 24, 1990; however, the fee required by § 381.208 of the Commission's Rules was not paid until September 6, 1990. § 381.103 of the Commission's Rules provides that the filing date is the date on which the fee is paid.

Gas Act for a certificate of public convenience and necessity to construct facilities and to implement a firm transportation service on behalf of Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the amendment which is on file with the Commission and open to public inspection.

Initially, applicant requested authorization in Docket No. CP90-688-001¹² to transport on a firm basis 263,625 MMBtu per day of natural gas on behalf of Transco from points of receipt on its system in Texas, Louisiana, and Arkansas, for delivery to CNG Transmission Corporation (CNG) at an existing interconnection at Lebanon, Ohio. Applicant further asserted that such natural gas will be received by CNG for further transportation and delivery to Transco at an existing interconnection between Transco and CNG in Clinton County, Pennsylvania. Applicant explained that Transco would then deliver such gas to various downstream markets located in the Northeastern United States. As consideration for providing firm transportation service to Transco, Applicant proposed to assess rates which would be determined in accordance with section 4 of Applicant's Rate Schedule FT contained in Applicant's FERC Gas Tariff, Original Volume No. 2-A. Applicant proposed that the term of firm transportation service on behalf of Transco would be fifteen years and year to year thereafter. In order to provide the proposed firm transportation service for Transco, Applicant requested in Docket No. CP90-688-000 authorization to construct and operate transmission facilities which consisted of:

- (1) 24.49 miles of 36-inch pipeline looping beginning at Applicant's Hardinsburg Compressor Station and extending through Breckinridge, Hancock, Ohio, Daviess Counties, Kentucky;
- (2) 13.07 miles of 36-inch pipeline looping beginning Applicant's existing 36-inch No. 1 Line and extending southward into Jefferson County, Kentucky;
- (3) 25.66 miles of 36-inch pipeline looping beginning at Applicant's existing 36-inch No. 1 Line and extending northward through Jefferson, Oldham and Trimble Counties, Kentucky;
- (4) 9.47 miles of 36-inch pipeline looping beginning at Applicant's Dillsboro Compressor Station and

extending northward, all in Dearborn County, Indiana;

(5) 15.75 miles of 36-inch pipeline looping at the south end of Applicant's existing 36-inch No. 1 Line (located in Ohio) and extending southward through Warren and Butler Counties, Ohio; and

(6) the addition of a 12-inch orifice meter run at the existing CNG Transmission Corporation natural gas sales meter station at Lebanon, Ohio.

Applicant estimated that the cost to construct the above facilities to be \$111,743,720.

In Docket No. CP90-688-001, Applicant requests authorization to phase the proposed transportation service on behalf of Transco and the construction of the above facilities. Furthermore, Applicant proposes to construct certain additional facilities in the supply area of its system in order to receive the volumes of natural gas proposed to be transported on behalf of Transco. Applicant proposes to transport for Transco, beginning November 1, 1991, the equivalent volumes necessary to redeliver 176,497 MMBtu per day of natural gas to CNG at Lebanon, Ohio. Beginning on November 1, 1992, Applicant proposes to increase this firm transportation service by 87,128 MMBtu per day, for a total delivered volume of 263,625 MMBtu per day. In order to effectuate this phasing of the proposed firm transportation service, Applicant proposed to phase the construction of the following facilities:

1991 Construction (First Year)

- (1) 16.36 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Hancock and Breckinridge Counties, Kentucky;
- (2) 8.88 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Jefferson County, Kentucky;
- (3) 18.70 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Jefferson and Oldham Counties, Kentucky;
- (4) 2.67 miles of 36-inch pipeline loop on Applicant's 26-inch main lines, in Dearborn County, Indiana;
- (5) 15.75 miles of 36-inch pipeline loop on Applicant's 26-inch main lines, in Warren and Butler Counties, Ohio;
- (6) One additional 12-inch orifice run at the CNG sales meter station located at the terminus of Applicant's system near Lebanon, Warren County, Ohio.

1992 Construction (Second Year)

- (1) 8.13 miles of 36-inch pipeline on Applicant's 26-inch main lines in Daviess, Ohio and Hancock Counties, Kentucky;

(2) 4.20 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Jefferson County, Kentucky;

(3) 6.96 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Oldham and Trimble Counties, Kentucky;

(4) 7.06 miles of 36-inch pipeline loop on Applicant's 26-inch main lines in Dearborn County, Indiana.

Applicant also requests authorization to construct the following facilities on its Sharon-Carthage System in order to receive an incremental 100,000 MMBtu per day which Transco will cause to be delivered to Applicant beginning November of 1991:

(1) 21.1 miles of 24-inch pipeline loop on Applicant's Sharon-Carthage system in Claiborne and Lincoln Parishes, Louisiana;

(2) One 2,650 horsepower reciprocating compressor unit for Applicant's Sharon Compressor Station in Claiborne Parish, Louisiana; and

(3) One 2,000 horsepower reciprocating engine/compressor unit on Applicant's Sharon-Carthage System in Bossier Parish, Louisiana (Haughton Compressor Station).

Applicant estimates the total direct cost of construction to be \$146,067,000. The First Year construction costs (including \$11,814,000 for the proposed supply area facilities) is estimated to be \$108,709,000. The estimated cost of construction for the Second Year facilities is estimated to be \$37,358,000.

Applicant asserts that the need for phasing of the proposed project is necessary to accommodate the availability and lead times required for compression equipment to be purchased by CNG and the financial risks associated with the commitments for material and equipment by CNG prior to Commission approval of this project, as well as the changes in the timing and makeup of the markets to be served by CNG and Transco.³ Applicant asserts that the additional 100,000 Mcf per day of capacity on its Sharon-Carthage system is needed to provide receipt point since current capacity is already committed for firm services to Applicant's existing customers. Applicant contemplates that Transco's remaining 76,497 MMBtu of firm deliveries in the first year will be received at existing points of receipt on Applicant's system in South Louisiana, such as the "Henry Hub", "Mamou" and "Richie". In the second year, applicant estimates that it will continue to receive

¹² Companion applications were filed by ANR Pipeline Company (ANR) in Docket No. CP89-637-001, CNG in Docket No. CP89-638-001, and Transco in Docket No. CP90-687-000.

³ It is noted that CNG and Transco simultaneously filed amendments to their respective Docket Nos. CP89-638-000 and CP90-687-000.

100,000 MMBtu of natural gas on its Sharon-Carthage system as well as approximately 100,000 MMBtu of natural gas at the "Henry Hub" and the remaining volumes at the other existing points named above.

Comment date: October 5, 1990, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

24. Southern Natural Gas Co.

[Docket No. CP90-2155-000]

September 14, 1990.

Take notice that on September 7, 1990, Southern Natural Gas Company (Southern), Post Office Box 2563, Birmingham, Alabama 35202-2563, filed in Docket No. CP90-2155-000, an application pursuant to section 7(c) of the Commission's Regulations, to construct, install, and operate certain pipeline facilities in federal offshore waters, all as more fully set forth in the request, which is on file with the Commission.

Southern requests authority to construct a pipeline, appurtenant measurement and regulation facilities, compression facilities and interconnections in order to provide access on its system to gas supplies to be produced in and around Mississippi Canyon Area Blocks 354 and 397 in federal offshore water. Southern states that it has contract with Exxon Corporation (Exxon) to purchase and transport certain gas supplies in and around Mississippi Canyon Area Blocks 353, 354, 355, 397, 398, 399 and Ewing Bank Area Block 438.

Southern contends that the facilities would include approximately 59.3 miles of 20-inch pipeline extending from a production platform to be constructed by Exxon in Mississippi Canyon Area Block 397 to an interconnection with Southern's existing 22-inch Venice—Lake Washington pipeline at or near Mile Post 0.0 in Plaquemines Parish, Louisiana. In addition, Southern plans to install a receiving station and 2,700 horsepower of compression facilities on the proposed Exxon Mississippi Canyon Area Block 397 platform and a regulating station at the onshore interconnection between the proposed pipeline and Southern's existing facilities. Southern further indicates that a new subsea interconnect would be installed on Southern's existing 18-inch West Delta Block 105 Line in West Delta Area Block 75 in order to alleviate present and future capacity constraints in Southern's West Delta Area pipeline system.

Southern states that the estimated cost of the pipeline, measurement

facilities, compression facilities and the interconnections is \$47,583,080. Southern further states that although the exact plan of financing has not been determined, it expects that the cost of constructing and installing the proposed facilities would be financed initially by short-term financing or cash from current operations, or both, and ultimately from permanent financing.

Southern states that the proposed facilities would be used to obtain access to gas supplies located in and around Mississippi Canyon Area Blocks 354 and 397. Such access would benefit Southern's customers by making additional gas supplies available and it would impact Exxon's development in this area by providing a means to interconnect its gas reserves with an interstate pipeline system.

Comment date: October 5, 1990, in accordance with Standard Paragraph F at the end of this notice.

25. Valero Interstate Transmission Co.

[Docket No. CP81-168-014]

September 14, 1990.

Take notice that on September 12, 1990, Valero Interstate Transmission Company (Vitco), 530 McCullough Avenue, San Antonio, Texas 78215, filed a petition in Docket No. CP81-168-014 to further amend its current authorization issued October 22, 1981, in Docket No. CP81-168-000, as amended, to reflect modifications to its sales arrangement with El Paso Natural Gas Company (El Paso), all as more fully set forth in the petition which is on file with the Commission and open to public inspection.

Vitco requests authority to modify its sales arrangement with El Paso which would (1) authorize an increase in the maximum daily swing quantity from a range of 18,250 Mcf to 31,250 Mcf to a range of 5,000 million Btu to 50,000 million Btu, (2) delete the existing delivery points and add one new delivery point located at the Falfurrias Measuring Station, Jim Wells County, Texas, and (3) substitute a replacement contract providing for the sales of gas from spot market purchases rather than from specifically dedicated producer contracts and supplies. Vitco requests that the Commission issue a single order or contemporaneous orders addressing both this application as well as the customer settlement of recovery of take-or-pay costs as proposed in Docket No. RP90-187-000.

Comment date: October 5, 1990, in accordance with the first subparagraph of Standard Paragraph F at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for

authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Secretary.

[FR Doc. 90-22496 Filed 9-21-90; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 10546-001—Arkansas]

Millwood Hydro Associates; Surrender of Preliminary Permit

September 17, 1990.

Take notice that Millwood Hydro Associates, permittee for the Millwood Dam Project, located on the Little River in Hempstead County, Arkansas, has requested that its preliminary permit be terminated. The preliminary permit was issued on September 9, 1988, and would have expired on August 31, 1991. The permittee has determined that the construction and operation of this project is not feasible at this time.

The permittee filed the request on August 23, 1990, and the preliminary permit for Project No. 10548 shall remain in effect through the thirtieth day after issuance of this notice unless that day is a Saturday, Sunday or holiday as described in 18 CFR 385.2007, in which case the permit shall remain in effect through the first business day following that day. New applications involving this project site, to the extent provided for under 18 CFR part 4, may be filed on the next business day.

Lois D. Cashell,

Secretary.

[FR Doc. 90-22495 Filed 9-21-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TM90-13-22-002]

CNG Transmission Corp.; Proposed Changes in FERC Gas Tariff

September 13, 1990.

Take notice that CNG Transmission Corporation ("CNG"), on September 11, 1990, pursuant to section 4 of the Natural Gas Act, the Stipulation and Agreement approved by the Commission on October 6, 1989, in Docket Nos. RP88-217, *et al.*, and § 12.9 of the General Terms and Conditions of CNG's FERC Gas Tariff, filed six (6) copies of the following revised tariff sheets to its FERC Gas Tariff, First Revised Volume No. 1:

First Revised Sheet No. 210

First Revised Sheet No. 211

First Revised Sheet No. 212

The tariff sheets are proposed to become effective on August 1, 1990.

The purpose of the filing is to reflect changes in tariff language to permit

CNG to bill to Corning Natural Gas Corporation take-or-pay costs that are billed to CNG (Corning) by Tennessee Gas Pipeline Company.

CNG states that a copy of this filing was served upon CNG's customers as well as interested parties.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1990).) All such protests should be filed on or before September 20, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-22491 Filed 9-21-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP90-149-001]

NATGAS U.S. Inc.; Compliance Filing

September 13, 1990.

Take notice that on September 7, 1990, NATGAS U.S. Inc. ("NATGAS"), 500, 707 Eighth Avenue SW., Calgary, Alberta, Canada T2P 3V3, tendered for filing in Docket No. RP90-149-001 Second Substitute First Revised Sheet No. 4 to its FERC Gas Tariff Original Volume No. 2.

NATGAS states that, in compliance with the Commission's August 17, 1990 letter order in this proceeding, it is submitting this substitute tariff sheet revising its demand charges to reflect changes in the charges of Northern Border Pipeline Company resulting from the Commission's August 15, 1990 order in Docket No. RP90-145-000.

NATGAS states that, along with the substitute tariff sheet, it has submitted schedules and work papers which explain the derivation of its demand charges. It further states that a copy of this filing, including the tariff sheet and the attached schedules and work papers, has been served on all parties to this proceeding.

In accordance with the August 17, 1990 letter order, NATGAS requests that the substitute tariff sheet be made effective on July 1, 1990, and that the Commission provide any waivers

necessary to permit effectuation of the tariff sheet on that date.

Any person desiring to protest said filing should file a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with rules 214 and 211 of the Commission's Rules of Practice and Procedure (18 CFR 385.214, 385.211 (1990). All such protests should be filed on or before September 20, 1990. Protests will be considered by the Commission on determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Persons that are already parties to this proceeding need not file a motion to intervene in this matter. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 90-22492 Filed 9-21-90; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP90-186-000]

Northwest Pipeline Corp.; Proposed Change in FERC Gas Tariff

September 13, 1990.

Take notice that on September 11, 1990 Northwest Pipeline Corporation ("Northwest") tendered for filing and acceptance the following tariff sheets, to be part of its FERC Gas Tariff.

First Revised Volume No. 1

Fourth Revised Sheet No. 11
Sixth Revised Sheet No. 32
Sixth Revised Sheet No. 33
Fifth Revised Sheet No. 34
Fourth Revised Sheet No. 36
Fifth Revised Sheet No. 41
Sixth Revised Sheet No. 101
Second Revised Sheet No. 102
Third Revised Sheet No. 104
Fourth Revised Sheet No. 105
Second Revised Sheet No. 106
Third Revised Sheet No. 120
Eighth Revised Sheet No. 123
Eleventh Revised Sheet No. 125
Fourteenth Revised Sheet No. 126
Eleventh Revised Sheet No. 126-A

Original Volume No. 1-A

Fourth Revised Sheet No. 318
Fourth Revised Sheet No. 401
First Revised Sheet No. 402
Third Revised Sheet No. 404
Second Revised Sheet No. 406
Second Revised Sheet No. 407
Second Revised Sheet No. 408
First Revised Sheet No. 412
Fourth Revised Sheet No. 414-A
Third Revised Sheet No. 417
First Revised Sheet No. 424
First Revised Sheet No. 425
First Revised Sheet No. 431

The above sheets were revised to (1) Reflect more accurately the actual operating conditions of the pipeline, (2) comply more fully with Order No. 497-A, and (3) make some minor corrections to facilitate Northwest's anticipated electronic filing to comply with Order No. 493.

Northwest has requested an effective date of October 11, 1990 for the tendered sheets.

Northwest states that a copy of this filing is being served on all customers and affected state regulatory commissions.

Any person desiring to be heard or protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with §§ 385.214 and 385.211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before September 20, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection in the Public Reference Room.

Lois D. Cashell,
Secretary.

[FR Doc. 90-22493 Filed 9-21-90; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. GT90-44-000]

Texas Eastern Transmission Corp.; Proposed Changes in FERC Gas Tariff

September 13, 1990.

Take notice that Texas Eastern Transmission Corporation (Texas Eastern) on August 31, 1990 tendered for filing as part of its FERC Gas Tariff,

Fifth Revised Volume No. 1, six copies of the following tariff sheets:

Second Revised Sheet No. 305
Third Revised Sheet No. 339
Fourth Revised Sheet No. 500
Fourth Revised Sheet No. 501
2nd Revised Third Revised Sheet No. 507
Fourth Revised Sheet No. 512
Fourth Revised Sheet No. 513

Texas Eastern states that the Commission issued an interim rule on August 2, 1990 in Docket No. RM90-13-000 which revised the interpretation of the "on behalf of" standard in section 311 of the Natural Gas Policy Act of 1978 for transportation services by interstate pipelines under § 284.102 of the Commission's regulations (18 CFR 284.102). The revised definition requires that the "on behalf of" entity in such transactions (1) Have physical custody of and transport the natural gas at some point during the transaction, or (2) hold title to the natural gas at some point during the transaction for a purpose related to its status and functions as an intrastate pipeline or local distribution company, as applicable.

Texas Eastern states that in order to reflect the revised interpretation in Texas Eastern's Rate Schedules FT-1 and IT-1 and related request forms the tariff sheets listed above incorporate the Commission's revised standard into Texas Eastern's Rate Schedules FT-1 and IT-1 and related request forms effective August 2, 1990.

The proposed effective date of the tariff sheets listed above is August 2, 1990.

Texas Eastern states that copies of the filing were served on all current Rate Schedules FT-1 and IT-1 shippers, Texas Eastern's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington,

DC 20426, in accordance with rules 211 and 214 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before September 20, 1990. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,
Secretary.

[FR Doc. 90-22494 Filed 9-21-90; 8:45 am]

BILLING CODE 6717-01-M

Office of Hearings and Appeals

Cases Filed During the Week of July 27 Through August 3, 1990

During the Week of July 27 through August 3, 1990, the appeals and applications for exception or other relief listed in the appendix to this Notice were filed with the Office of Hearings and Appeals of the Department of Energy.

Under DOE procedural regulations, 10 CFR part 205, any person who will be aggrieved by the DOE action sought in these cases may file written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of the regulations, the date of service of notice is deemed to be the date of publication of this Notice of the date of receipt by an aggrieved person of actual notice, whichever occurs first. All such comments shall be filed with the Office of Hearings and Appeals, Department of Energy, Washington, DC 20585.

Dated: September 18, 1990.

George B. Breznay,
Director, Office of Hearings and Appeals.

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS

[Week of July 27 through August 3, 1990]

Date	Name and location of applicant	Case No.	Type of submission
7/30/90	Exxon Corporation/Victor C. Smith, Nashville, TN	RR307-10	Motion for Reconsideration. If granted: The Decision and Order issued on June 27, 1990 (Exxon Corporation/Victor C. Smith) would be modified regarding the firm's repayment of a duplicate Exxon refund.
7/30/90	Vickers Energy Corporation/OK	RM1-216	Request for Modification/Rescission of Second Stage Refund Proceedings and Request for Second Stage Refund. If granted: The May 7, 1985, December 30, 1988, and October 13, 1989 Decisions and Orders (Case Nos. RQ1-530, RQ21-163, RQ8-162, RQ5-161, RQ13-491 and RQ251-489) would be modified regarding Oklahoma's application for refund submitted in the Vickers, AMOCO I, Belridge, Palo Pinto, OKC and AMOCO II second stage refund proceedings and Oklahoma's plan for disbursing refund monies from the Worldwide Energy second stage refund proceeding would be approved.
	Standard Oil of Indiana (Amoco) OK	RM21-217	
	Belridge Oil Company/OK	RM8-218	
	Palo Pinto Oil and Gas/OK	RM5-219	
	OKC Corporations/OK	RM13-220	
	Standard Oil of Indiana (Amoco)/OK	RM251-221	
	Worldwide Energy Corporation/OK Oklahoma City, Oklahoma	RQ31-559	

LIST OF CASES RECEIVED BY THE OFFICE OF HEARINGS AND APPEALS—Continued

[Week of July 27 through August 3, 1990]

Date	Name and location of applicant	Case No.	Type of submission
8/2/90	Colonial Gas Company, Lowell, MA	LEE-0016	Exception to the Reporting Requirements. If granted: Colonial Gas Company would not be required to file Form EIA-857 with the Energy Information Administration.

REFUND APPLICATIONS RECEIVED

Date received	Name of refund proceeding/name of refund application	Case No.
7/27/90 thru 8/3/90	Crude Oil Refund Applications Received	RF272-79047 thru RF272-79541.
7/27/90 thru 8/3/90	Texaco Oil Refund Applications Received	RF321-8345 thru RF321-8613.
7/27/90 thru 8/3/90	Gulf Oil Refund Applications Received	RF300-11236 thru RF300-11296.
7/27/90 thru 8/3/90	Shell Oil Refund Applications Received	RF315-10017 thru RF315-10032.
7/31/90	Wally's Arco	RF304-11951.
7/31/90	Jamie Towers	RA272-26.
8/2/90	Paragon Oil Company	RF325-1.
8/3/90	Lee Dyeing Co. of No. Carolina	RA272-27.
8/3/90	Tran-Star, Inc	RA272-28.

[FR Doc. 90-22562 Filed 9-21-90; 8:45 am]

BILLING CODE 8450-01-M

ENVIRONMENTAL PROTECTION
AGENCY (FRL-3834-1)Open Meetings on October 23 and 24,
1990 of the National Advisory Council
for Environmental Policy and
Technology

Under Public Law 92463 (the Federal Advisory Committee Act), EPA gives notice of the fall meeting of the National Advisory Council for Environmental Policy and Technology (NACEPT) on October 24, 1990, from 8:30 a.m. to 3:30 p.m. in the Madison Hotel, 15th and M Streets NW, Washington, DC. EPA also gives notice of the meetings on October 23, 1990, of the five standing committees of NACEPT at the Madison Hotel, and one affiliate committee at the Hotel Washington, 515 15th Street, NW., Washington, DC 20004.

The agenda for the October 24th NACEPT full council meeting will include the following:

- (1) Reports from NACEPT's committees and discussion by the NACEPT membership of these reports. The committees reporting are:
 - Education and Training Committee
 - State and Local Programs Committee
 - International Environment Committee
 - Technology Innovation and Economics Committee
 - Chemical Accident Prevention Committee
 - Environmental Financial Advisory Board Committee (affiliate);

(2) The Council will discuss two key contemporary environmental issues, the subject of which will be determined at a later date;

(3) A review and discussion of NACEPT's Bylaws and other new business.

The meeting locations of the five standing NACEPT committees will be listed in the lobby of the Madison Hotel, in Washington, DC, on October 23rd. The meeting location of the Environmental Financial Advisory Board will be posted in the lobby of the Hotel Washington on the same date. The meetings will begin at 8:30 a.m. and conclude at 5 p.m.

Members of the public wishing to make comments to NACEPT or any of its committees are invited to submit them in writing to Mr. R. Thomas Parker, Designated Federal Official for NACEPT, By October 18, 1990. Please send comments to Mr. R. Thomas Parker, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

The meetings will be open to the public. Additional information on the meeting may be obtained from Mr. R. Thomas Parker or Mr. Robert L. Hardaker at the above address or by calling at (202) 475-9741.

Dated: September 17, 1990.

Robert Hardaker,

Acting Designated Federal Official, National Advisory Council for Environmental Policy and Technology.

[FR Doc. 90-22553 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

[OPTS-59895; FRL 3803-1]

Toxic and Hazardous Substances;
Certain Chemicals Premanufacture
Notices

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 5(a)(1) of the Toxic Substances Control Act (TSCA) requires any person who intends to manufacture or import a new chemical substance to submit a premanufacture notice (PMN) to EPA at least 90 days before manufacture or import commences. Statutory requirements for section 5(a)(1) premanufacture notices are discussed in the final rule published in the *Federal Register* of May 13, 1983 (48 FR 21722). In the *Federal Register* of November 11, 1984, (49 FR 46066) (40 CFR 723.250), EPA published a rule which granted a limited exemption from certain PMN requirements for certain types of polymers. Notices for such polymers are reviewed by EPA within 21 days of receipt. This notice announces receipt of 23 such PMN(s) and provides a summary of each.

DATES: Close of Review Periods:

- Y 90-260, 90-261, August 26, 1990.
- Y 90-262, August 28, 1990.
- Y 90-263, 90-264, September 2, 1990.
- Y 90-265, 90-266, September 3, 1990.
- Y 90-267, 90-268, September 5, 1990.
- Y 90-270, 90-271, 90-272, September 9, 1990.
- Y 90-273, September 10, 1990.
- Y 90-274, 90-275, September 11, 1990.
- Y 90-276, 90-277, 90-278, 90-279, 90-280, September 17, 1990.
- Y 90-282, September 19, 1990.
- Y 90-283, September 24, 1990.
- Y 90-284, September 25, 1990.

FOR FURTHER INFORMATION CONTACT:

Michael M. Stahl, Director, Environmental Assistance Division (TS-799), Office of Toxic Substances, Environmental Protection Agency, Room E-545, 401 M Street, SW., Washington,

DC 20460, (202) 554-1404, TDD (202) 554-0551.

SUPPLEMENTARY INFORMATION: The following notice contains information extracted from the nonconfidential version of the submission provided by the manufacturer on the PMNs received by EPA. The complete nonconfidential document is available in the Public Reading Room NE-C004 at the above address between 8:00 a.m. and 4:00 p.m., Monday through Friday, excluding legal holidays.

Y 90-280

Manufacturer. Himont USA, Inc.

Chemical. (G) 1-Propane polymer with styrene.

Use/Production. (S) Injection molded articles; formed. Prod. range: 455,000-2,730,000 kg/yr.

Y 90-281

Manufacturer. Confidential.

Chemical. (G) Acrylic polymer salt.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

Y 90-282

Manufacturer. Confidential.

Chemical. (G) Modified soya fatty acid isophthalate alkyd.

Use/Production. (S) Binder for general metal coatings. Prod. range: Confidential.

Y 90-283

Importer. Kuraray International Corporation.

Chemical. (S) Hydrogenated styrene isoprene/butadiene block copolymer.

Use/Import. (G) Injection goods of automotive and industrial impact; modifier of automotive adhesive and sealant goods. Import range: 1000,000-5,000,000 kg/yr.

Y 90-284

Importer. Azo-LanChem.

Chemical. (G) Hydroxy acrylic resin.

Use/Import. (S) Resin used to manufacture industrial coatings. Import range: Confidential.

Y 90-285

Manufacturer. Confidential.

Chemical. (S)

Use/Production. (G) Coating for open nondispersive use in original equipment manufacture. Prod. range: 300,000-600,000 kg/yr.

Y 90-286

Manufacturer. Confidential.

Chemical. (G).

Use/Production. (G) Coating for open nondispersive use in original equipment manufacture. Prod. range: 300,000-600,000 kg/yr.

Y 90-287

Manufacturer. Hickory Springs Manufacturing Company.

Chemical. (S) Ethanol, 2,3,2'-nitrilotris, polymer with 1,3-diisocyanatomethylbenzene and methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1).

Use/Production. (S) Polymer polyol for polyurethane foam. Prod. range: Confidential.

Toxicity Data. Acute oral toxicity: LD50 > 5 g/kg species (Rat). Acute dermal toxicity: LD50 > 2 g/kg species (Rabbit). Inhalation toxicity: LC50 > 191 mg/l.

Y 90-288

Manufacturer. Hickory Springs Manufacturing Company.

Chemical. (S) Ethanol, 2,2'-iminobis, polymer with 1,3-diisocyanatomethylbenzene; methyloxirane polymer with oxirane ether with 1,2,3-propanetriol (3:1) and 2,2,2'-nitrilotrisethanol.

Use/Production. (S) Polymer polyol for production of flexible polyurethane foam. Prod. range: Confidential.

Y 90-270

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Polyurethane resin.

Use/Production. (S) Wood varnishes. Prod. range: Confidential.

Y 90-271

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Alkyd copolymer resin.

Use/Production. (S) Metal coatings. Prod. range: Confidential.

Y 90-272

Manufacturer. Confidential.

Chemical. (G) Saturated polyester.

Use/Production. (G) Polymer for industrial (exclusively) finishing. Prod. range: 25,000-500,000 kg/yr.

Y 90-273

Manufacturer. Bostik Inc.

Chemical. (G) Polyester.

Use/Production. (S) Intermediate for solvent based adhesives. Prod. range: Confidential.

Y 90-274

Importer. Toyobo New York.

Chemical. (G) Aromatic/aliphatic copolymer with sodium sulfo isophthalic acid.

Use/Import. (S) Ribbon in binder.

Import range: Confidential.

Toxicity Data. Mutagenicity: negative.

Y 90-275

Importer. Rembrandtin USA, Inc.

Chemical. (G) Water miscible acrylic copolymer.

Use/Import. (S) Additive for metal coating. Import range: Confidential.

Y 90-276

Manufacturer. Confidential.

Chemical. (G) Saturated polyester.

Use/Production. (S) Component in paint. Prod. range: 235,000-1,400,000 kg/yr.

Y 90-277

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Alkyd resin.

Use/Production. (S) Industrial coating. Prod. range: Confidential.

Y 90-278

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Alkyd resin.

Use/Production. (S) Industrial coating. Prod. range: Confidential.

Y 90-279

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Alkyd resin.

Use/Production. (S) Industrial coating. Prod. range: Confidential.

Y 90-280

Manufacturer. Reichhold Chemicals, Inc.

Chemical. (G) Alkyd resin.

Use/Production. (S) Industrial coating. Prod. range: Confidential.

Y 90-282

Manufacturer. Confidential.

Chemical. (G) Acrylic polymer.

Use/Production. (G) Open, nondispersive use. Prod. range: Confidential.

Y 90-283

Manufacturer. Mazer Chemicals.

Chemical. (G) Siloxanes and silicones, Me alkyl, Me aryl.

Use/Production. (S) Die cast lubricant; mold release for plastics. Prod. range: Confidential.

Y 90-284

Manufacturer. Confidential.

Chemical. (G) Long oil sunflower-safflower alkyd resin solution.

Use/Production. (S) Interior color-retentive architectural enamels. Prod. range: Confidential.

Dated: September 17, 1990.

Steven Newburg-Kinn,
Acting Director, Information Management
Division, Office of Toxic Substances.

[FR Doc. 90-22555 Filed 9-21-90; 8:45 am]

BILLING CODE 6550-50-F

[FRL-3833-5]

**Draft "Citizen's Guide to Radon"
Public Comment Period****AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of availability.

SUMMARY: Notice is hereby given that EPA's draft "Citizen's Guide to Radon" and accompanying Technical Support Document are available for public review and comment. EPA will address comments on the proposed recommendations and supporting analyses at the end of the comment period. The Agency plans to release a final "Citizen's Guide to Radon" and Technical Support Document this winter.

DATES: Comments must be received on or before October 24, 1990.

ADDRESSES: Copies of the draft "Citizen's Guide to Radon" and Technical Support Documents are available upon request from: Mike Walker, U.S. Environmental Protection Agency, Radon Division, Room 200, NE Mall (ANR-464), 401 M Street, SW., Washington, DC 20460.

FOR FURTHER INFORMATION CONTACT: Mike Walker at the address given above; telephone 202/475-9607.

SUPPLEMENTARY INFORMATION: The "Citizen's Guide To Radon" articulates EPA's policy recommendations on radon testing and mitigation. An original Citizen's Guide was published in 1986, when naturally occurring radon problems were a fairly recent discovery. A great deal of information on radon has been collected since the original publication, and EPA believes that the public would benefit from revised guidance. The draft Citizen's Guide reflects the requirements established by Congress in the 1986 Indoor Radon Abatement Act. It also reflects the findings of radon risk communication studies, improved radon mitigation technologies, and updated radon health risk information, and provides options for preventing risk from radon. The draft Technical Support Document summarizes analyses of various action level and testing strategy options for public consideration.

Marge T. Oge,

Director, Radon Division.

[FR Doc. 90-22551 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

[FRL 3833-8]

**Public Water Supply Supervision
Program; Program Revision for the
State of Oregon****AGENCY:** Environmental Protection Agency.**ACTION:** Notice.

SUMMARY: Notice is hereby given that the State of Oregon is revising its approved State Public Water Supply Supervision Primacy Program. Oregon has adopted (1) Drinking water regulations for eight volatile organic chemicals that correspond to the National Primary Drinking Water Regulations for eight volatile organic chemicals promulgated by EPA on July 8, 1987 (52 FR 25690) and (2) public notice regulations that correspond to the revised EPA public notice requirements promulgated on October 28, 1987 (52 FR 41534). EPA has determined that these two sets of State program revisions are no less stringent than the corresponding Federal regulations. Therefore, EPA has tentatively decided to approve these State program revisions.

All interested parties are invited to request a public hearing. A request for a public hearing must be submitted October 24, 1990, to the Regional Administrator at the address shown below. Frivolous or insubstantial requests for a hearing may be denied by the Regional Administrator. However, if a substantial request for a public hearing is made by October 24, 1990, a public hearing will be held. If no timely and appropriate request for a hearing is received and the Regional Administrator does not elect to hold a hearing on his own motion, this determination shall become effective October 24, 1990.

Any request for a public hearing shall include the following: (1) The name, address, and telephone number of the individual, organization, or other entity requesting a hearing; (2) a brief statement of the requesting person's interest in the Regional Administrator's determination and of information that the requesting person intends to submit at such hearing; and (3) the signature of the individual making the request; or if the request is made on behalf of an organization or other entity, the signature of a responsible official of the organization or other entity.

ADDRESSES: All documents relating to this determination are available for inspection between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, at the following offices:
Drinking Water Section, Oregon State Health Division, 1400 SW. 5th Avenue, Portland, Oregon 97201; and

Environmental Protection Agency,
Region 10 Library, 1200 Sixth Avenue,
Seattle, Washington 98101.

FOR FURTHER INFORMATION CONTACT: Wendy Marshall, EPA, Region 10, Drinking Water Programs Branch, at the Seattle address given above; telephone (206) 442-1890.

Dated: September 13, 1990

Thomas P. Dunne,

Acting Regional Administrator.

[FR Doc. 90-22552 Filed 9-21-90; 8:45 am]

BILLING CODE 6560-50-M

**FEDERAL COMMUNICATIONS
COMMISSION****Public Information Collection
Requirement Submitted to Office of
Management and Budget for Review**

September 17, 1990.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., suite 140, Washington, DC 20037. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Bruce McConnell, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-3785.

OMB Number: 3060-0391.

Title: Monitoring Program for Impact of Federal-State Joint Board Decisions.

Form Number: FCC Form 498.

Action: Revision.

Respondents: State or local governments, businesses or other for-profit.

Estimated Annual Burden: 811 responses; 2,123 hours average burden per response; 1,722 hours total annual burden.

Needs and Uses: The Commission has a monitoring program which requires the periodic reporting by states participating in the lifeline program and local exchange carriers. The monitoring program is necessary for the Commission, the Joint Board, Congress, and the general public to assess the impact of the Joint Board decisions. Failure to implement this program will make it impossible to determine the impact of these

decisions and to assure that they do not produce unanticipated results contrary to the public interest.

Federal Communications Commission.

Donna R. Searcy,
Secretary.

[FR Doc. 90-22579 Filed 9-21-90; 8:45 am]

BILLING CODE 6712-01-M

[DA 90-879]

Average Schedule Disbursements

AGENCY: Federal Communications Commission.

ACTION: Notice of order.

SUMMARY: On June 29, 1990, the Chief, Common Carrier Bureau released an order approving National Exchange Carrier Association, Inc. ("NECA") proposed revisions to the average schedules and addressing other issues that were raised by average schedule companies (see Supplementary Information below). This action was taken to facilitate disbursements to average schedule companies from the NECA administered interstate revenue pools in accordance with the requirements that are contained in § 69.606 of the Commission's Rules, 47 CFR 69.606.

EFFECTIVE DATE: July 1, 1990.

FOR FURTHER INFORMATION CONTACT: Kent Nilsson, Policy and Program Planning Division, Common Carrier Bureau, (202)-632-6363.

SUPPLEMENTARY INFORMATION: On June 29, 1990, the Chief, FCC Common Carrier Bureau, issued a Memorandum Opinion and Order (DA 90-879) [hereinafter, "Order"], approving National Exchange Carrier Association, Inc. ("NECA") proposed revisions to the average schedules that were published in the Federal Register on February 21, 1990, at paragraphs 2-4, 55 FR 6018-6019. In addition, the Order: (1) Required NECA to modify the plan for equal access reimbursement (Order at paras. 24-25); (2) addressed the Consolidated Telephone Company's Petition for Reconsideration (Order at paras. 1, 28-34, 44-54, 59); (3) directed NECA to provide direct reimbursement of the lease costs of centralized SS7 services (Order at para. 27); (4) provided, under specified circumstances, supplemental transition payments to certain average schedule companies pending determination of whether conversion to cost study status would be appropriate (Order at paras. 35-43); (5) authorized

supplemental payments for National Utilities, Inc. (Order at paras. 55-27). The summary provided above summarizes the Common Carrier Bureau's Memorandum Opinion and Order (DA 90-879), adopted June 28, 1990, and released June 29, 1990. The full text of the decision is available for inspection and copying during normal business hours in the FCC Docket Branch (room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., suite 140, Washington, DC 20037.

Federal Communications Commission.

Richard M. Firestone,
Chief, Common Carrier Bureau.

[FR Doc. 90-22524 Filed 9-21-90; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL RESERVE SYSTEM

Report to Congressional Committees Regarding Differences in Capital and Accounting Standards Among the Federal Banking and Thrift Agencies

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Report to the Committee on Banking, Housing, and Urban Affairs of the United States Senate and to the Committee on Banking, Finance and Urban Affairs of the United States House of Representatives regarding differences in capital and accounting standards among the Federal banking and thrift agencies.

SUMMARY: This report has been prepared by the Federal Reserve Board pursuant to section 1215 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989. Section 1215 requires each Federal banking and thrift agency to report annually to the Chairman and ranking minority member of the Committee on Banking, Housing, and Urban Affairs of the Senate; and the Chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs of the House of Representatives regarding any differences between the capital standards used by such agency and capital standards used by other banking and thrift agencies. The report must also contain an explanation of the reasons for any discrepancy in such capital standards. Finally, the report must be published in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Rhoger H. Pugh, Manager (202/728p5883), Kelly S. Shaw, Senior Financial Analyst

(202/452-3054), Charles H. Holm, Senior Financial Analyst, (202/452-3502), or Robert E. Motyka, Financial Analyst (202/452-3621), Division of Banking Supervision and Regulation, Board of Governors. For the hearing impaired only, Telecommunication Device for the Deaf (TDD), Earnestine Hill or Dorothea Thompson (202/452-3544).

Report to the Committee on Banking, Housing, and Urban Affairs of the United States Senate and to the Committee on Banking, Finance and Urban Affairs of the United States House of Representatives Regarding Differences in Capital and Accounting Standards Among the Federal Banking and Thrift Agencies.

Capital Standards

The three federal bank regulatory agencies¹ have, for a number of years, employed a common regulatory framework that establishes uniform minimum ratios of capital to total assets (leverage ratios) for commercial banking organizations. This framework requires that banking organizations maintain a level of primary capital (principally, permanent shareholders' equity, general loan loss reserves, and certain mandatory convertible securities) equal to at least 5.5 percent of total assets. Banking organizations have also been required to maintain a level of total capital (primary capital plus secondary capital components, such as subordinated debt) equal to at least 6.0 percent of total assets. It should be emphasized that these standards have been viewed by the banking agencies as minimum requirements, and that most commercial banking organizations have been expected to operate with capital positions above the minimum levels. In addition, the Federal Reserve has required banking organizations seeking to expand to maintain strong capital positions substantially above the minimum supervisory benchmarks.

More recently, the federal banking agencies have adopted a common risk-based capital framework based upon the international Capital Accord developed by the Basle Committee on Banking Supervision (Basle Accord) and endorsed by the central bank governors of the G-10 countries. This framework establishes minimum ratios of total and Tier 1 (core) capital to risk-weighted

¹ At the federal level, the Federal Reserve System has primary supervisory responsibility for state-chartered banks that are members of the Federal Reserve System. The Federal savings banks. National banks are supervised by the Office of the Comptroller of the Currency (OCC). The Office of Thrift Supervision (OTS) has primary responsibility for savings associations.

assets. At the end of 1990, banking organizations will be expected to have total capital equal to at least 7.25 percent of risk-weighted assets. This requirement is to be fully phased-in by the end of 1992, when banking organizations will be required to maintain total capital equal to at least 8 percent of risk-weighted assets. One-half of the total capital requirement, or a minimum of 4 percent, must consist of Tier 1 capital (principally, common shareholders' equity and qualifying perpetual preferred stock). The other half, Tier 2, may include certain supplementary items, such as general loan loss reserves and subordinated debt.

As with the existing leverage ratios, the risk-based capital requirements are viewed by the banking agencies as minimum standards. In addition to identical ratios, the risk-based framework being implemented by the banking agencies includes a common definition of regulatory capital and a uniform system of risk weights and categories. While the minimum standards and risk weighting framework used by the banking agencies are the same, there are some technical differences in language and interpretation among the agencies that are discussed in Section One.

The banking agencies are also in the process of implementing new minimum capital to total assets, or leverage, ratios that will employ a definition of Tier 1 capital that is consistent with the risk-based capital definition. The Federal Reserve has recently adopted such a new leverage standard. This ratio starts with a minimum 3 percent Tier 1 base and, for all but the most highly-rated institutions that are free of any supervisory weaknesses, requires institutions to maintain an additional cushion of at least 100 to 200 basis points depending upon the institution's financial condition and risk profile. In addition, the OCC has proposed a 3 percent Tier 1 leverage ratio that it views as a minimum standard. The FDIC is also in the process of developing a revised leverage proposal. It is the understanding of the Federal Reserve staff that the FDIC is considering an approach that would build upon a 3 percent minimum Tier 1 ratio by requiring an appropriate additional cushion of capital, possibly in the range of 100 to 200 basis points. In all cases, these minimum Tier 1 leverage ratios would supplement the banking agencies' minimum risk-based capital requirement of 8 percent.

As required by FIRREA, the Office of Thrift Supervision (OTS) has adopted a

1.5 percent tangible and 3 percent core capital to total assets standard. OTS has also adopted risk-based capital standards for thrift institutions which, while generally parallel to those of the banking agencies, are different in some aspects.

The differences in the capital standard between the banking agencies and the OTS are set forth in Section One. The staffs of the banking agencies and the OTS meet regularly to identify and address differences and inconsistencies in their capital standards. The agencies are committed to continuing this process in an effort to resolve in an appropriate fashion any item that require further attention.

Accounting Standards

Over the years, the commercial banking agencies, under the auspices of the Federal Financial Institutions Examination Council, have developed uniform Reports of Condition and Income (Call Reports) for all commercial banks and FDIC-supervised savings banks. The reporting standards followed by the banking agencies are substantially consistent, aside from a few limited exceptions, with generally accepted accounting principles (GAAP) as they are applied by commercial banks. The uniform bank Call Report serves as the basis for calculating risk-based capital and leverage ratios, as well as for other regulatory purposes. Thus, material differences in regulatory accounting and reporting standards among commercial banks and FDIC-supervised savings banks do not exist.

The OTS requires each thrift institution to file the Thrift Financial Report (TFR), which is consistent with GAAP as it is applied by thrifts. The TFR differs in some respects from the bank Call Report. One reason for this is that thrift GAAP is different in a few limited areas from GAAP as it is applied by banks. Another explanation lies in the few isolated areas in which the bank Call Report departs from bank GAAP. A summary of the differences in accounting and reporting standards between the bank Call Report and the TFR is presented in section Two.

Simplification and Reduction of Differences in Accounting and Reporting Standards

Commercial banks and FDIC-supervised savings banks are generally subject to uniform accounting and reporting standards. The federal banking agencies and OTS continue to study ways to simplify and reduce differences in reporting standards between commercial banks and savings and loan associations. One way to

approach this would be to explore the possibility of extending to a broader range of depository institutions the type of uniform reporting framework currently applicable to all commercial banks and FDIC-supervised thrift institutions. Another way would be to encourage greater consistency between bank CAAP and thrift GAAP. In this regard, the Financial Accounting Standards Board and the American Institute of Certified Public Accountants have been asked by the FDIC to consider eliminating the differences in GAAP as applied by thrifts and by banks. Finally, the bank regulatory agencies are continuing to study ways in which the limited differences between bank Call Report standards and GAAP can be eliminated or reduced, consistent with the agencies' supervisory responsibilities.

Section One

Summary of Differences in Capital Standards Among Federal Banking and Thrift Supervisory Agencies

Leverage Capital Ratios

Throughout most of the 1980s, the banking agencies have required banking organizations to meet minimum capital to total assets (leverage) ratios. Currently, these requirements include a minimum 5.5 percent primary capital ratio and a minimum 6.0 percent total capital ratio. For purposes of these leverage standards, primary capital consists principally of permanent shareholders' equity (common and perpetual preferred stock), general loan loss reserves, and certain perpetual or mandatory convertible debt instruments. Total capital includes primary capital plus limited amounts of subordinated notes and debentures and limited-life preferred stock.

The banking agencies have generally viewed regulatory capital ratios as minimum standards; most banking organizations have been expected to operate well above the minimum ratios. As a general rule, the banking agencies have excluded goodwill from the definition of bank regulatory capital. (The treatment of other intangible assets is discussed below.)

The banking agencies are currently in the process of developing revised leverage standards based upon the common definition of Tier 1 capital contained in the banking agencies' risk-based capital guidelines. In this connection, the Federal Reserve has adopted a new leverage ratio that after 1990 will replace the existing primary and total capital ratios. This new standard will require all but the

strongest and most highly-rated institutions to meet a minimum Tier 1 capital ratio of 3 percent, plus an additional cushion of at least 100 to 200 basis points, depending upon an organization's financial condition. OCC has proposed a 3 percent Tier 1 leverage ratio that it views as a minimum for national banks. The FDIC is also in the process of developing a revised leverage ratio. It is the understanding of the Federal Reserve staff that the FDIC is considering a proposal that would build upon a minimum 3 percent Tier 1 capital ratio by including an appropriate additional capital requirement somewhere in the range of 100 to 200 basis points. For all of the banking agencies, these new leverage standards are being viewed as minimum requirements that will supplement the 8 percent risk-based capital standard.

OTS has established a 3 percent core capital ratio and a 1.5 percent tangible capital leverage requirement for thrift institutions, as required by FIRREA. The components of core capital for thrifts generally parallel those for Tier 1 bank capital, with the exception of certain adjustments discussed below and the inclusion of qualifying supervisory goodwill. Such goodwill is to be phased out of thrift core capital by the end of 1994, after which time the treatment of goodwill for thrift institutions will be consistent with that of the banking agencies.

Risk-Based Capital Ratios

The three federal banking agencies have adopted risk-based capital standards consistent with the Basle Accord. These standards establish for all commercial banking organizations a minimum ratio of total capital (Tier 1 plus Tier 2) to risk-weighted assets of 7.25 percent for year-end 1990; this minimum standard increases to 8 percent as of year-end 1992.² Core or Tier 1 capital comprises common stockholders' equity, qualifying perpetual preferred stock and minority interests in consolidated subsidiaries, less goodwill. Since Tier 1 capital must make up at least 50 percent of the total risk-based capital requirement, the risk-based framework also establishes a minimum ratio of Tier 1 capital to risk-weighted assets of 4 percent. Tier 2 capital includes such components as general loan loss reserves, subordinated term debt, and certain other perpetual or

convertible debt capital instruments, subject to appropriate limitations and conditions. Risk-weighted assets are calculated by assigning risk weights of 0, 20, 50 and 100 percent to broad categories of assets and off-balance sheet items based upon their relative credit risks.

As has historically been true of bank leverage ratios, the banking agencies view the risk-based standard as a minimum supervisory benchmark. In part, this is because the risk-based standard focuses primarily on credit risk; it does not take full or explicit account of certain other banking risks, such as exposure to changes in interest rates. The full range of risks to which banks are exposed are reviewed and evaluated carefully during on-site examinations. In view of these risks, most banking organizations are expected to operate above the minimum risk-based and leverage capital requirements.

The Federal Reserve is working with the other U.S. banking agencies and the regulatory authorities on the Basle Supervisors' Committee to develop possible methods to measure and address certain market and price risks. These risks include exposures resulting from foreign exchange positions, changes in interest rates, and holdings of equity securities. If appropriate and practicable, these methods could be used to supplement and expand the basic risk-based capital framework. One important reason for addressing these risks on an international level is to develop supervisory approaches that do not undermine the competitiveness of U.S. banking organizations. As already noted, banking organizations subject to these additional risks are expected to maintain capital positions well above the minimum levels.

OTS has adopted a risk-based capital standard that in many respects is similar to the framework adopted by the banking agencies. The OTS standard currently requires a minimum risk-based capital ratio equal to 6.4 percent of risk-adjusted assets. This ratio will increase to 7.2 percent as of year-end 1990 and 8 percent by year-end 1992. OTS is also contemplating an additional element for interest rate risk.

Equity Investments

To the extent that commercial banks are allowed to invest in equity securities under applicable federal or state law, such investments are generally assigned to the 100 percent risk category, for risk-based capital purposes, by all three of the federal banking agencies. The Federal Reserve's guidelines also permit

deduction of equity investments from the parent bank's capital or other options to assess an appropriate capital charge above the minimum requirement. In general, state member banks supervised by the Federal Reserve are not permitted to invest in equity securities, nor are state member banks generally permitted to engage in real estate investment or development activities. (The Federal Reserve's treatment of investments in subsidiaries is discussed below.)

The OTS risk-based capital standards require that thrift institutions deduct equity investments from capital over a five year phase-in period.

FSLIC/FDIC—Covered Assets (Assets Subject to Guarantee Arrangements by the FSLIC or FDIC)

The federal banking agencies generally place these assets in the 20 percent risk category, the same category to which claims on depository institutions and government-sponsored agencies are assigned.

The OTS places these assets in the zero percent risk category.

Reposessed Assets and Assets More Than 90 Days Past Due

The federal banking agencies require that foreclosed real estate be written down to fair value (see Section 2, "Specific Valuation Allowances for, and Charge-Offs of, Troubled Real Estate Loans not in Foreclosure" and "Valuation of Foreclosed Real Estate" for further details) and the resulting asset assigned to the 100 percent risk category. The write down effectively results in a reduction of capital. Assets 90 days or more past due, including 1 to 4 family mortgages, are assigned to the 100 percent risk weight category. When such assets are eventually charged-off, capital is effectively adjusted for any resulting loss.

Consistent with the Basle Accord, the 100 percent risk weight is the highest risk category under the risk-based capital guidelines of the banking agencies. As noted above, however, the bank risk-based capital standards represent minimum ratios. Consequently, organizations with high levels of risk, including a significant volume of nonperforming or past due assets, are expected to maintain capital ratios above minimum levels. In this way, the risk-based capital framework of the banking agencies provides the latitude to place a higher than minimum capital charge on assets of this type.

The OTS risk-based capital framework has a 200 percent risk category to which reposessed assets

² In order to assist banking organizations in the transition period, the Federal Reserve permits organizations it supervises to meet through the end of 1990 either the existing primary and total capital leverage ratios or the year-end 1990 risk-based standard.

and assets more than 90 days past due are assigned. An exception exists for 1-to-4 family mortgages more than 90 days past due, which are assigned to the 100 percent risk weight category.

Limitation on Subordinated Debt and Limited-Life Preferred Stock

Consistent with the Basle Accord, the federal bank regulatory agencies limit the amount of subordinated debt and limited-life preferred stock that may be included in Tier 2 capital. This limit, in effect, states that these components together may not exceed 50 percent of Tier 1 capital. In addition, maturing capital instruments must be discounted by 20 percent in each of the last five years prior to maturity.

Neither of these capital components is a permanent source of funds, and subordinated debt cannot absorb losses while the bank continues to operate as a going concern. On the other hand, both components can provide a cushion of protection to the FDIC insurance fund. Thus, this limitation permits the inclusion of some subordinated debt in capital, while assuring that permanent stockholder's equity capital remains the predominant element in bank regulatory capital.

The OTS has no limitation on the total amount of limited-life or maturing instruments that may be included within Tier 2 capital. However, OTS allows thrifts the option of: (1) Discounting maturing capital instruments, issued on or after November 7, 1989, by 20 percent a year over the last 5 years of their term—the approach required by the banking agencies; or (2) Including the full amount of such instruments provided that the amount maturing in any one year does not exceed 20 percent of the thrift's total capital.

Subsidiaries

Consistent with the Basle Accord and long-standing banking practices, the federal bank regulatory agencies generally consolidate all significant majority-owned subsidiaries of the parent organization. The purpose of this is to assure that capital requirements are related to all of the risks to which the banking organization is exposed. The Federal Reserve's risk-based capital guidelines provide a degree of flexibility for subsidiaries that are not consolidated for supervisory or accounting reasons. Investments in such subsidiaries can be deducted entirely from parent bank capital, or the parent organization can be required to maintain a level of capital above the minimum standard that is sufficient to compensate for any risks associated with the investment.

In the case of financial subsidiaries that are not consolidated, the Federal Reserve, consistent with the Basle Accord, generally deducts investments in such subsidiaries from the parent banking organization's capital. For example, the Federal Reserve deducts investments in, and unsecured advances to, section 20 securities subsidiaries from the parent bank holding company's capital. The FDIC accords similar treatment to securities subsidiaries of state nonmember banks established pursuant to § 337.4 of the FDIC regulations. The deduction of investments in subsidiaries from the parent's capital is designed to ensure that the capital supporting the subsidiary is not also used as the basis of further leveraging and risk-taking by the parent banking organization. In deducting investments in and advances to certain subsidiaries from the parent's capital, the Federal Reserve expects the parent banking organizations to meet or exceed minimum regulatory capital standards without reliance on the capital invested in the particular subsidiary.

Under OTS capital guidelines, a distinction, mandated by FIRREA, is drawn between subsidiaries that are engaged in activities that are permissible for national banks and subsidiaries that are engaged in "impermissible" activities for national banks. Subsidiaries of thrift institutions that engage only in permissible activities are consolidated on a line-for-line basis if majority-owned and on a pro-rata basis if ownership is between 5 percent and 50 percent. As a general rule, investments, including loans, in subsidiaries that engage in impermissible activities are deducted in determining the capital adequacy of the parent. However, investments, including loans, outstanding as of April 12, 1989 to subsidiaries that were engaged in impermissible activities prior to that date are grandfathered and will be phased out of capital over five years. During this transition period, investments in subsidiaries engaged in impermissible activities that have not been phased out of capital are to be consolidated on a pro-rata basis.

Qualifying Multifamily Mortgage Loans

The banking agencies place multifamily mortgage loans (five units or more) in the 100 percent risk-weight category. The reason for this is that the risk associated with such assets is more akin to commercial risk, which is assigned to the 100 percent risk category, than it is to the risk associated with 1-4 family residential mortgages. The OTS allows certain multifamily

mortgage loans to qualify for the 50 percent risk-weight category. This would apply, for example, to loans secured by buildings with 5-36 units, provided these loans had a maximum 80 percent loan to value ratio and an 80 percent occupancy rate.

Nonresidential Construction and Land Loans

The banking agencies assign loans for real estate development and construction purposes to the 100 percent risk-weight category. Weaknesses or losses associated with such loans would require reserves or charge-offs that would generally have the effect of reducing the capital base.

OTS generally assigns these loans to the same 100 percent risk category, however, if the amount of the loan exceeds 80 percent of the fair value or the property, that excess portion is deducted from capital in accordance with the same five years phase-in arrangement as described above for "Equity investments."

Mortgage-Backed Securities (MBS)

The federal banking agencies, in general, place privately-issued MBS in either the 50 percent or 100 percent risk-weight category, depending upon the appropriate risk category of the underlying assets. However, privately-issued MBS, collateralized by government agency or government-sponsored agency securities, are generally assigned to the 20 percent risk-weight category.

The OTS assigns privately-issued high quality mortgage-related securities to the 20 percent risk-weight category. These are, generally, privately-issued MBS with AA or better investment ratings.

Intangible Assets

The banking agencies do not allow goodwill to be included in risk-based capital for commercial banks and FDIC-supervised savings banks. Bank holding companies may include goodwill acquired prior to March 12, 1988 in Tier 1 for risk-based capital purposes until the end of 1992. After 1992, all goodwill is to be deducted from bank holding company capital. Goodwill is also excluded from the capital of banking organizations under the Federal Reserve's recently adopted Tier 1 leverage ratio.

Pursuant to FIRREA, OTS allows "qualifying supervisory goodwill" to be included as part of core capital through year-end 1994. After this date, thrift institutions must meet their minimum 3

percent core capital requirement without reliance on goodwill.

In considering whether other intangible assets should be included in capital, the banking agencies and OTS employ a three-part test. This test considers the reliability of the cash flows associated with the intangible asset, the existence of active and liquid markets for the asset, and the separability of the intangible asset from the bulk of the institution's other assets.

In addition to these considerations, the OCC imposes a limit of 25 percent of Tier 1 capital on the amount of qualifying intangible assets, including purchased mortgage servicing rights, that can be included in the risk-based capital calculation.

The Federal Reserve expects banks to avoid over reliance on any intangible assets, including purchased mortgage servicing rights, within capital. In addition to excluding goodwill, the Federal Reserve gives close scrutiny to any other intangible assets that exceed 25 percent of Tier 1 capital, and, generally, would expect intangibles not to exceed this threshold. Furthermore, the Federal Reserve assesses an organization's tangible capital ratio (net of all intangibles), on a case-by-case basis, whenever the organization is undertaking expansion, engaging in new activities, or experiencing unusual risks. As a general rule, the Federal Reserve requires banking organizations seeking to expand to maintain capital positions substantially above minimum supervisory levels without significant reliance on intangible assets.

Currently, the FDIC deducts intangible assets, except purchased mortgage servicing rights, in calculating the leverage and risk-based capital ratios of banks and FDIC-sponsored savings banks. At present, the FDIC has no specific limitation on the amount of purchased mortgage servicing rights that may be included in capital, but the FDIC has issued a proposal that would deduct purchased mortgage servicing rights that exceed 25 percent of Tier 1 capital in calculating both leverage and risk-based capital ratios. Furthermore, the FDIC's discussion in this matter will affect OTS-supervised savings institutions pursuant to FIRREA and section 5(l)(4)(c) of the revised Home Owner's Loan Act of 1933.

The OTS has no 25 percent limitation on intangible assets at this time. However, as required by FIRREA, OTS permits thrift institutions to include only 90 percent of the fair market value of purchased mortgage servicing rights in the calculation of their risk-based capital ratio.

Assets Sold With Recourse

In general, recourse arrangements allow the purchaser of an asset to "put" the asset back to the originating institution under certain circumstances, for example if the asset ceases to perform satisfactorily. This in turn can expose the originating institution to any loss associated with the asset. As a general rule, the federal banking agencies require that sales of assets involving any recourse be reported as financings and that the assets be retained on the balance sheet. This, in turn, has the effect of requiring a full leverage and risk-based capital charge whenever assets are sold with recourse, including limited recourse. The Federal Reserve generally applies a capital charge to any recourse arrangement that is the equivalent of an off-balance sheet guarantee, regardless of the nature of the transaction that gives rise to the recourse obligation.

An exception to this general rule involves pools of 1-to-4 family residential mortgages (see Section 2, "Sales of Assets With Recourse", for further details). Certain recourse transactions involving these assets are reported in the bank Call Report as sales, thereby removing these transactions from leverage ratio calculations. These transactions, which are the equivalent of off-balance sheet guarantees, involve the type of credit risk that is addressed by bank risk-based capital requirements, although some questions in this regard have been raised because of the treatment afforded these transactions for leverage purposes. The Federal Reserve is reviewing its risk-based capital guidelines with the aim of clarifying that recourse sales involving residential mortgages are to be taken into account for determining compliance with risk-based capital requirements.

In general, OTS also requires a full capital charge against assets sold with recourse. However, in the case of limited recourse, OTS limits the capital charge to the lesser of the amount of recourse or the actual amount of capital that would otherwise be required against that asset, that is, the normal full capital charge.

Some securitized asset arrangements involve the issuance of senior and subordinated classes of securities. When a bank originates such a transaction and retains a subordinated piece, the banking agencies require that capital be maintained against the entire amount of the asset pool. When a bank acquires a subordinated security in a pool of assets that it did not originate, the banking agencies assign the

investment in the subordinated piece to the 100 percent risk-weight category. In addition, the Federal Reserve carefully reviews these instruments to determine if additional reserves, asset write-downs, or capital are necessary to protect the bank.

OTS requires that capital be maintained against the entire amount of the asset pool in both of the situations described in the preceding paragraph. Additionally, the OTS applies a capital charge to the full amount of assets being serviced when the servicer is required to absorb credit losses on the assets being serviced.

The federal bank and thrift supervisory agencies under the Federal Financial Institutions Examination Council have issued for public comment a fact finding paper pertaining to the full range of issues relating to recourse arrangements. These issues include the definition of "recourse" and the appropriate reporting and capital treatments to be applied to recourse arrangements, as well as so-called recourse servicing arrangements and limited recourse. The objective of this effort is to develop in a comprehensive and consistent fashion an appropriate and uniform approach to recourse arrangements for capital adequacy, reporting, and other regulatory purposes.

Agricultural Loan Loss Amortization

In the computation of regulatory capital, those banks accepted into the agricultural loan loss amortization program pursuant to title VIII of the Competitive Equality Banking Act of 1987 are permitted to defer and amortize losses incurred on agricultural loans between January 1, 1984 and December 31, 1991. The program also applies to losses incurred between January 1, 1983 and December 31, 1991, as a result of reappraisals and sales of agricultural Other Real Estate Owned and agricultural personal property. Thrifts are not eligible to participate in the agricultural loan loss amortization program established by this statute.

Treatment of Junior Liens on 1-4 Family Properties

In some cases, a banking organization may make two loans on a single residential property, one loan secured by a first lien, the other by a second lien. In such a situation, the Federal Reserve and the FDIC view these two transactions as a single loan, provided there are no intervening liens. This could result in assigning the total amount of these transactions to the 100 percent risk weight category, if, in the aggregate, the two loans exceeded a

prudent loan-to-value ratio and, therefore, did not qualify for the 50 percent risk weight. This approach is intended to avoid possible circumvention of the capital requirement and capture the risks associated with the combined transactions.

The OCC and OTS generally assign the loan secured by the first lien to the 50 percent risk-weight category and the loan secured by the second lien to the 100 percent risk-weight category.

Phase-in Requirements

The banking agencies, consistent with the Basle Accord, have adopted transition rules for a two year period beginning December 31, 1990. During this period, banks will be required to maintain at least 7.25 percent risk-based capital, and may take advantage of certain transitional rules. For example, up to 10 percent of Tier 1 capital can be comprised of Tier 2 capital elements through the end of 1992. On December 31, 1992, the transition rules expire and all banks must maintain at least an 8 percent risk-based capital ratio. After 1992, Tier 1 is limited to core capital elements. As a practical matter, most banking organizations are evaluating themselves in relation to the 1992 definition and have been urged to meet this tighter standard as soon as possible. As already noted, all of the risk-based standards are minimums and banking organizations are generally expected to operate above the minimum levels.

OTS was required by statute to implement its risk-based capital guidelines by December 7, 1989. FIRREA also provides for a different set of transition rules than those afforded banks, although the ultimate date for full implementation is approximately the same. Thrifts are required to maintain 80 percent of the 8 percent risk-based capital standard from December 7, 1989 to December 30, 1990; 90 percent from December 31, 1990 to December 30, 1992; and 100 percent thereafter.

Pledged Deposits and Nonwithdrawable Accounts

The capital guidelines of OTS permit thrift institutions to include in capital certain pledged deposits and nonwithdrawable accounts that meet OTS criteria. Income Capital Certificates and Mutual Capital Certificates held by OTS may also be included in capital by thrift institutions. These instruments are not relevant to commercial banks and therefore they are not addressed in the banking agencies' capital guidelines.

Mutual Funds

The banking agencies assign all of a bank's holdings in a mutual fund to the risk category appropriate to the highest risk asset that a particular mutual fund is permitted to hold under its operating rules. The purpose of this is to take into account the maximum degree of risk to which a bank may be exposed when investing in a mutual fund in view of the fact that the future composition and risk characteristics of the fund's holdings cannot be known in advance.

The OTS applies a capital charge appropriate to the riskiest asset that a mutual fund is actually holding at a particular time. In addition, the OTS guidelines also permit, on a case-by-case basis, investments in mutual funds to be allocated on a pro-rata basis in a manner consistent with the actual composition of the mutual fund.

Section Two

Summary of Differences in Reporting Standards Among Federal Banking and Thrift Supervisory Agencies

Under the auspices of Federal Financial Institutions Examination Council, the three Federal banking agencies have developed uniform reporting standards for commercial banks which are used in the preparation of the Reports of Condition and Income ("Call Report"). The FDIC has also applied these uniform Call Report standards to savings banks under its supervision. The income statement and balance sheet accounts presented in the Call Report are used by the Federal bank supervisory agencies for determining the capital adequacy of banks and for other regulatory, supervisory, surveillance, analytical, and general statistical purposes. The reporting standards set forth in the Call Report are based almost entirely on generally accepted accounting principles for banks, and, as a matter of policy, deviate from GAAP only in those instances where statutory requirements or overriding supervisory concerns warrant a departure from GAAP. Thus, in so far as the Federal bank supervisory agencies are concerned, uniform accounting standards for regulatory purposes have been established.

The OTS has developed and maintains a separate reporting system for the thrift institutions under its supervision. This report, known as the Thrift Financial Report (TFR), is based on GAAP as applied by thrifts, which differs in some respects from GAAP for banks. The following discussion addresses these differences.

Specific Valuation Allowances for, and Charge-offs of, Troubled Real Estate Loans not in Foreclosure

The banking agencies generally consider real estate loans that lack acceptable cash flow or other ready sources of repayment, other than the collateral, as "collateral dependent." When a real estate loan is considered to be collateral dependent and the fair value of the collateral has declined below the loan balance, a charge-off is taken or a specific valuation allowance is created to reduce the value of the loan to the fair value of the collateral. Fair value is generally determined by a current appraisal. The banking agencies believe that this approach accurately reflects the amount of recovery a financial institution is likely to receive if it is forced to foreclose on the underlying collateral. This approach, followed by the banking agencies, is basically consistent with GAAP for banks.

OTS generally requires specific valuation allowances for troubled real estate loans based on the estimated net realizable value (NRV) of the collateral. NRV represents the estimated future sales price reduced by certain expenses and direct holding costs, including the cost of capital. Thus, NRV is based on the expected cash flows derived from the property discounted by the institution's cost of capital. NRV may exceed fair value. If additional safety and soundness concerns exist, OTS examiners may require additional general valuation allowances based on historical experience and other criteria.

General Valuation Allowances for Troubled Real Estate Loans

The banking agencies expect the general valuation allowance to be sufficient to cover an estimate of anticipated losses on all loans in the portfolio, including the remaining balances of individual loans that have been partially charged-off or for which specific valuation allowances have been established. This approach appropriately reflects the risk of additional loss from possible error in the specific loss estimates. The general valuation allowance required by the banking agencies and GAAP are basically consistent.

OTS ordinarily does not require general valuation allowances for those loans that have been specifically reviewed and for which a specific loss reserve has been provided. Under the OTS approach, the additional risk of any loss associated with troubled loans is taken into consideration as part of the

application of their risk-based capital standards. This difference is attributable to differences in GAAP as practiced by banks and thrifts.

Valuation of Foreclosed Real Estate

The banking agencies require that foreclosed real estate be valued at the lower of book value or fair value at the date of foreclosure. The banking regulators usually require additional write-downs of such other real estate owned to fair value when fair value declines after foreclosure. The approach followed by the banking agencies is basically consistent with GAAP for banks.

OTS also requires foreclosed real estate to be valued at the lower of book value or fair value at the date of foreclosure. However, valuation allowances for real estate owned after the acquisition date are generally based on the NRV of the property using a cost of capital discount rate. Under the risk-based capital guidelines of OTS, real estate owned (i.e., foreclosed property) is risk-weighted at 200 percent, that is, it receives double the capital charge that standard risk assets receive. OTS believes that this approach adequately compensates for any additional risk. This difference is attributable to differences in GAAP as practices by banking organizations and thrifts.

Futures Contracts, Forwards and Standby Contracts

The banking agencies, as a general rule, do not permit the deferral of losses by banks on futures, forwards, and standby contracts whether or not they are used for hedging purposes. All changes in market value of futures and forward contracts are reported in current period income, and standby contracts must be reported at the lower of cost or market value. The banking agencies adopted this reporting standard as a supervisory policy prior to the adoption of FASB Statement No. 80, which allows hedge or loss deferral accounting, under certain circumstances. Contrary to this general rule, hedge accounting in accordance with FASB Statement No. 80 is permitted for futures and forward contracts used in mortgage banking operations. A proposal to permit banks to use hedge accounting for futures contracts beyond their mortgage banking operations is currently under consideration.

OTS practice is to follow FASB Statement No. 80 for futures contracts. In accordance with this statement, when hedging criteria are satisfied, the accounting for the futures contract is related to the accounting for the hedged item. Changes in the market value of the

futures contract are recognized in income when the effects of related changes in the price or interest rate of the hedged items are recognized. Such reporting can result in deferred losses which would be reflected as assets on the thrift's balance sheet in accordance with GAAP.

Excess Servicing Fees

As a general rule, the banking agencies do not follow GAAP for excess servicing fees, but require a more conservative treatment. Excess servicing results when loans are sold with servicing retained and the stated servicing fee rate is greater than the normal servicing fee rate. With the exception of sales of pools of residential mortgages for which the banking agencies' approach is consistent with FASB Statement No. 65, excess servicing fee income in banks must be reported as realized over the life of the transferred asset, not recognized up front.

OTS allows the present value of the future excess servicing fee to be treated as an adjustment to the sales price for purposes of recognizing gain or loss on the sale. This approach is consistent with FASB Statement No. 65.

In-substance Defeasance of Debt

The banking agencies do not permit banks to report defeasance of their debt obligations in accordance with FASB Statement No. 76. Defeasance involves a debtor irrevocably placing risk-free monetary assets in a trust solely for satisfying the debt. Where this is permitted, the assets in the trust and the defeased debt are removed from the balance sheet and a gain or loss for the current period can be recognized. Commercial banks are not permitted to defease their debt obligations for reporting or supervisory purposes. Thus, banks may not remove assets or liabilities from their balance sheets or recognize resulting gains or losses. The banking agencies have not adopted FASB Statement No. 76 because of uncertainty regarding the irrevocable trusts established for defeasance purposes. Furthermore, defeasance would not relieve the bank of its contractual obligation to pay depositors or other creditors.

OTS practices is to follow FASB Statement No. 76.

Sales of Assets With Recourse

In accordance with FASB Statement No. 77, a transfer of receivables with recourse is recognized as a sale if: (1) The transferor surrenders control of the future economic benefits, (2) the transferor's obligation under the recourse provisions can be reasonably

estimated, and (3) the transferee cannot require repurchase of the receivables except pursuant to the recourse provisions.

The practice of the banking agencies is generally to require commercial banks to report transfers of receivables with recourse as sales only when the transferring institution: (1) retains no risk of loss from the assets transferred and (2) has no obligation for the payment of principal or interest on the assets transferred. As a result, virtually no transfers of assets with recourse can be reported as true sales. However, this rule has not historically been applied to the transfer of 1-to-4 family or agricultural mortgage loans under certain government-sponsored programs (including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation). Transfers of mortgages under these programs are generally treated as sales for Call Report purposes. Furthermore, private transfers of mortgages are also reported as sales if the transferring institution retains only an insignificant risk of loss on the assets transferred. However, the seller's obligation under any recourse provision related to sales of mortgage loans under the government programs is viewed as an off-balance sheet exposure. Thus, for risk-based capital purposes, capital is generally expected to be held for recourse obligations associated with such transactions.

OTS policy is to follow FASB Statement No. 77. However, in the calculation of risk-based capital under OTS guidelines, off-balance sheet recourse obligations are converted at 100 percent. This effectively negates the sale treatment recognized on a GAAP basis for risk-based capital purposes, but not for leverage capital purposes.

Board of Governors of the Federal Reserve System, September 18, 1990.

William W. Wiles,
Secretary of the Board.

[FR Doc. 90-22523 Filed 9-21-90; 8:45 am]

BILLING CODE 6210-01-M

FEDERAL TRADE COMMISSION

[Docket No. C-3303]

**Central Soya Company, Inc.;
Prohibited Trade Practices, and
Affirmative Corrective Actions**

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting

unfair acts and practices and unfair methods of competition, this consent order requires, among other things, a soy protein concentrate ("SPC") company based in Fort Wayne, Ind., to obtain FTC approval, for 10 years, before acquiring any interest in any SPC assets of any company engaged in manufacturing SPC within the United States.

DATES: Complaint and Order issued August 27, 1990.¹

FOR FURTHER INFORMATION CONTACT: Katharine Alphin, Atlanta Regional Office, Federal Trade Commission, 1718 Peachtree St., NW., Room 1000, Atlanta, GA 30367.

SUPPLEMENTARY INFORMATION: On Tuesday, June 12, 1990, there was published in the *Federal Register*, 55 FR 23806, a proposed consent agreement with analysis in the Matter of Central Soya Company, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Donald S. Clark,
Secretary.

[FR Doc. 90-22534 Filed 9-21-90; 9:45 am]
BILLING CODE 6750-01-M

[Docket No. C-3302]

The Vons Companies, Inc.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.
ACTION: Consent order.

SUMMARY: In settlement of alleged violations of Federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, a Michigan based corporation that operates grocery stores in Calif. and Nev. from misrepresenting the extent to which any food contains pesticides and from making any representation

concerning the presence or health effects of any pesticide applied to or present in any food, unless respondent possesses and relies upon competent and reliable scientific evidence substantiating such representation.

DATES: Complaint and Order issued August 27, 1990.¹

FOR FURTHER INFORMATION CONTACT: Steven Shaffer, San Francisco Regional Office, Federal Trade Commission, 901 Market St., Suite 570, San Francisco, CA. 94103. (415) 744-7920.

SUPPLEMENTARY INFORMATION: On Friday, June 15, 1990, there was published in the *Federal Register*, 55 FR 24314, a proposed consent agreement with analysis in the Matter of The Vons Companies, Inc., for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered an order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45, 52)

Donald S. Clark,
Secretary.

[FR Doc. 90-22535 Filed 9-21-90; 9:45 am]
BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 90E-0246]

Determination of Regulatory Review Period for Purposes of Patent Extension; Ethmozine®

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) has determined the regulatory review period for Ethmozine® and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Commissioner of

Patents and Trademarks, Department of Commerce, for the extension of a patent which claims that human drug product.

ADDRESSES: Written comments and petitions should be directed to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Nancy E. Pirt, Office of Health Affairs (HFY-20), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1382.

SUPPLEMENTARY INFORMATION: The Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417) and the Generic Animal Drug and Patent Term Restoration Act (Pub. L. 100-670) generally provide that a patent may be extended for a period of up to 5 years so long as the patented item (human drug product, animal drug product, medical device, food additive, or color additive) was subject to regulatory review by FDA before the item was marketed. Under these acts, a product's regulatory review period forms the basis for determining the amount of extension an applicant may receive.

A regulatory review period consists of two periods of time: a testing phase and an approval phase. For human drug products, the testing phase begins when the exemption to permit the clinical investigations of the drug becomes effective and runs until the approval phase begins. The approval phase starts with the initial submission of an application to market the human drug product and continues until FDA grants permission to market the drug product. Although only a portion of a regulatory review period may count toward the actual amount of extension that the Commissioner of Patents and Trademarks may award (for example, half the testing phase must be subtracted as well as any time that may have occurred before the patent was issued), FDA's determination of the length of a regulatory review period for a human drug product will include all of the testing phase and approval phase as specified in 35 U.S.C. 156(g)(1)(B).

FDA recently approved for marketing the human drug product Ethmozine® (moricizine hydrochloride) is indicated for the treatment of documented ventricular arrhythmias, such as sustained ventricular tachycardia, that, in the judgment of the physician, are life-threatening. Subsequent to this approval, the Patent and Trademark Office received a patent term restoration application for Ethmozine® (U.S. Patent No. 3,864,487)

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

¹ Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

from E.I. du Pont de Nemours and Co., and the Patent and Trademark Office requested FDA's assistance in determining this patent's eligibility for patent term restoration. FDA, in a letter dated August 8, 1990, advised the Patent and Trademark Office that this human drug product had undergone a regulatory review period. The letter also stated that the active ingredient, moricizine, hydrochloride represented the first permitted commercial marketing or use. Shortly thereafter, the Patent and Trademark Office requested that FDA determine the product's regulatory review period.

FDA has determined that the applicable regulatory review period for Ethmozine® is 5,158 days. Of this time, 4,135 days occurred during the testing phase of the regulatory review period, while 1,023 days occurred during the approval phase. These periods of time were derived from the following dates:

1. *The date an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act became effective:* May 7, 1976. The applicant claims April 7, 1976, as the date the investigational new drug (IND) application became effective. However, FDA records indicate that the IND effective date was May 7, 1976, which was 30 days after FDA receipt of the IND.

2. *The date the application was initially submitted with respect to the human drug product under section 505(b) of the Federal Food, Drug, and Cosmetic Act:* September 1, 1987. FDA has verified the applicant's claim that the new drug application (NDA) (NDA 19-753) was filed on September 1, 1987.

3. *The date the application was approved:* June 19, 1990. FDA has verified the applicant's claim that NDA 19-753 was approved on June 19, 1990.

This determination of the regulatory review period establishes the maximum potential length of a patent extension. However, the U.S. Patent and Trademark Office applies several statutory limitations in its calculations of the actual period for patent extension. In its application for patent extension, this applicant seeks 730 days of patent term extension.

Anyone with knowledge that any of the dates as published is incorrect may, on or before November 24, 1990, submit to the Dockets Management Branch (address above) written comments and ask for a redetermination. Furthermore, any interested person may petition FDA, on or before March 23, 1991, for a determination regarding whether the applicant for extension acted with due diligence during the regulatory review period. To meet its burden, the petition must contain sufficient facts to merit an

FDA investigation. (See H. Rept. 857, Part 1, 98th Cong., 2d Sess., pp. 41-42, 1984.) Petitions should be in the format specified in 21 CFR 10.30.

Comments and petitions should be submitted to the Dockets Management Branch (address above) in three copies (except that individuals may submit single copies) and identified with the docket number found in brackets in the heading of this document. Comments and petitions may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Dated: August 31, 1990.

Allen B. Duncan,

Acting Associate Commissioner for Health Affairs.

[FR Doc. 90-22526 Filed 9-21-90; 8:45 am]

BILLING CODE 4160-01-M

Health Care Financing Administration

Medicare and Medicaid Programs; Meeting of the Advisory Council on Social Security

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of public hearing.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this notice announces a hearing of the Advisory Council on Social Security.

DATES: The hearing will be held on September 27, 1990 from 10 a.m. to 5 p.m., and will be open to the public.

ADDRESSES: The University of New Hampshire, University Center, 400 Commercial Street, Manchester, New Hampshire 03101.

FOR FURTHER INFORMATION CONTACT: Olga Nelson, Administrative Office, Advisory Council on Social Security, room 638-G, Hubert H. Humphrey Building, 200 Independence Avenue SW., Washington, DC 20201, 202-245-0217.

SUPPLEMENTARY INFORMATION:

I. Purpose

Under section 706 of the Social Security Act (the Act), the Secretary of Health and Human Services (the Secretary) appoints the Council every four years. An Advisory Council on Social Security (the Council) examines issues affecting the Social Security retirement, disability, and survivors insurance programs, as well as the Medicare and Medicaid programs, which were created under the Act.

In addition, the Secretary has asked the Council specifically to address the following:

- The adequacy of the Medicare program to meet the health and long-term care needs of our aged and disabled populations, the impact on Medicaid of the current financing structure for long-term care, and the need for more stable health care financing for the aged, the disabled, the poor, and the uninsured;

- Major Old-Age, Survivors, and Disability Insurance (OASDI) financing issues, including the long-range financial status of the program, relationship of OASDI income and outgo to budget-deficit reduction efforts under the Balanced Budget and Emergency Deficit Control Act of 1981, and projected buildups in the OASDI trust funds; and

- Broad policy issues in Social Security, such as the role of Social Security in overall U.S. retirement income policy.

The Council is composed of 12 members: G. Lawrence Atkins, Robert M. Ball, Philip Briggs, Lonnie R. Bristow, Theodore Cooper, John T. Dunlop, Karen Ignagni, James R. Jones, Paul O'Neill, A. L. "Pete" Singleton, John J. Sweeney, and Don C. Wegmiller. The chairperson is Deborah Steelman.

The Council is to report to the Secretary and Congress by January 1991.

II. Agenda

The Council will hear testimony on Social Security and health care issues.

The agenda items are subject to change as priorities dictate.

(Catalog of Federal Domestic Assistance Programs Nos. 13.714 Medical Assistance Program; 13.733 Medicare-Hospital Insurance; 13.774 Medicare-Supplementary Medical Insurance; 13.802 Social Security-Disability Insurance; 13.803 Social Security-Retirement Insurance; 13.805 Social Security-Survivors Insurance)

Dated: September 18, 1990.

Barbara Cooper,

(Acting) Executive Director, Advisory Council on Social Security.

[FR Doc. 90-22613 Filed 9-21-90; 8:45 am]

BILLING CODE 4120-01-M

Statement of Organization, Function, and Delegation of Authority

Notice is hereby given that I have delegated to the Administrator, Health Care Financing Administration, with the authority to redelegate and to authorize further redelegation my authority to impose civil monetary penalties under sections 1819(h)(2) (A) and (B)(ii); 1846; 1891(e) (1), (2), and (3) and (f)(2)(A)(i); and 1919(h)(3) (A), (B), and (C)(ii) of the Social Security Act, as amended. I also delegate to you with the authority to

redelegate and to authorize further redelegation my authority to develop criteria under sections 1019(h)(2), 1846(b), and 1919(h)(3) as to when and how civil monetary penalties should be applied.

To the extent inconsistent with the foregoing delegation, this delegation supersedes the July 13, 1988 and September 14, 1988 delegations of the authorities specified herein to the Inspector General.

This delegation is effective immediately.

Dated: September 13, 1990.

Louis W. Sullivan,

Secretary.

[FR Doc. 90-22539 Filed 9-21-90; 8:45 am]

BILLING CODE 4120-03-M

Office of Human Development Services

Agency Information Collection Under OMB Review

AGENCY: Office of Human Development Services, HHS.

ACTION: Notice.

Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), the Office of Human Development Services (OHDS) has submitted to the Office of Management and Budget (OMB) for approval a Notice of Proposed Rulemaking (NPRM) that contains new collection of information requirements. The NPRM is entitled Eligibility, Recruitment, Selection, Enrollment and Attendance in the Head Start Program. It was published on July 23, 1990 (55 FR 29970).

ADDRESSES: Copies of the information collection request may be obtained from Larry Guerrero, OHDS Reports Clearance Officer, by calling (202) 245-6275.

Written comments and questions regarding the requested approval for information collection should be sent directly to: Angela Antonelli, OMB Desk Officer for OHDS, OMB Reports Management Branch, New Executive Office Building, Room 3002, 725 17th Street NW., Washington, DC 20503, (202) 395-7316.

Information on Document

Title: Notice of Proposed Rulemaking 45 CFR part 1305—Eligibility, Recruitment, Selection, Enrollment and Attendance in Head Start

OMB No.: N/A

Description: The NPRM proposes specific categories of information that are to be collected and analyzed as part of the community needs assessment.

The purpose of the community needs assessment is to assist grantees in making decisions regarding the children and families to be served by the program and the kinds of services that will best meet the needs of the community served.

While Head Start grantees have always been required to complete a community needs assessment as part of the application for refunding, in the past the grant application instructions have not included specific data requirements of explicit requirements for analyzing the data to determine key program decisions. The added specificity will assist grantees by focusing their community needs assessment efforts on those data that will enable them to make key program decisions, including which children, from among all of those eligible, will be served by the program.

Annual number of respondents.....	430
Annual frequency.....	1
Average burden hours per response.....	40
Total burden hours.....	17,200

Dated: September 17, 1990.

Mary Sheila Gall,

Assistant Secretary for Human Development Services.

[FR Doc. 90-22477 Filed 9-21-90; 8:45 am]

BILLING CODE 4130-01-M

National Institutes of Health

National Center for Research Resources, Meeting of the General Clinical Research Centers Committee

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the General Clinical Research Centers (GCRC) Committee, National Center for Research Resources (NCRR), October 23-24, 1990, at the Georgetown Marbury Hotel, Stafford/Sheffield/Pemberton Room, 3000 M Street NW., Washington, DC 20007.

The meeting will be open to the public on October 23, 1990 from 8:30 a.m. to 10 a.m. during which time there will be comments by the Director, NCRR; and an update on the General Clinical Research Centers Program by Dr. Judith L. Vaitukaitis, Director, GCRC Program, NCRR. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S. Code and section 10(d) of Public Law 92-463, the meeting will be closed to the public on October 23 from 10 a.m. to 6 p.m., and on October 24 from 8 a.m. to 4 p.m., for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial

property, such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James J. Doherty, Information Officer, NCRR, NIH, Westwood Building, room 10A15, National Institutes of Health, Bethesda, Maryland 20892, (301) 496-5545, will provide a summary of the meeting, and a roster of the committee members upon request. Dr. Bela J. Gulyas, Executive Secretary, General Clinical Research Centers Committee, NCRR, (301) 402-0627, will furnish information on the agenda upon request.

(Catalog of Federal Domestic Assistance Program No. 13.333, Clinical Research, National Institutes of Health).

Dated: September 10, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90-22518 Filed 9-21-90; 8:45 am]

BILLING CODE 4140-01-M

National Heart, Lung, and Blood Institute, Meeting of the Clinical Trials Review Committee

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Clinical Trials Review Committee, National Heart, Lung, and Blood Institute, October 21-23, 1990, Holiday Inn Chevy Chase, 5520 Wisconsin Avenue, Chevy Chase, Maryland 20815.

The meeting will be open to the public on October 21, from 7 p.m. to approximately 8 p.m. to discuss administrative details and to hear a report concerning the current status of the National Heart, Lung, and Blood Institute. Attendance by the public is limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C., and section 10(d) of Public Law 92-463, the meeting will be closed to the public on October 21, from approximately 8 p.m. to adjournment on October 23, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. Terry Belicha, Chief, Communications and Public Information Branch, National Heart, Lung, and Blood Institute, Building 31, room 4A-21,

National Institutes of Health, Bethesda, Maryland 20892, (301) 496-4236, will provide a summary of the meeting and a roster of the Committee members.

Dr. David M. Monsees, Jr., Contracts, Clinical Trials and Training Review Section, Division of Extramural Affairs, National Heart, Lung, and Blood Institute, Westwood Building, room 550B, Bethesda, Maryland 20892, (301) 496-7361, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, Heart and Vascular Diseases Research; 13.838, Lung Diseases Research; 13.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: September 11, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90-22519 Filed 9-21-90; 8:45 am]

BILLING CODE 4140-01-M

National Institute of Arthritis and Musculoskeletal and Skin Diseases, Meeting of the Arthritis and Musculoskeletal and Skin Diseases Special Grants Review Committee

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Arthritis and Musculoskeletal and Skin Diseases Special Grants Review Committee (AMS) of the National Institute of Arthritis and Musculoskeletal and Skin Diseases on October 19, 1990, Holiday Inn, Chevy Chase, 5520 Wisconsin Avenue, Chevy Chase, Maryland. The meeting will be open to public on October 19 from 8:30 a.m. to 9 a.m. to discuss administrative details or other issues relating to the committee activities. Attendance by the public will be limited to space available. Notice of the meeting room will be posted in the hotel lobby.

The meeting will be closed to the public from 9 a.m. on October 19 to adjournment in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92-463, for the review, discussion and evaluation of individual research grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Further information concerning this meeting may be obtained from Dr. Melvin H. Gottlieb, Executive Secretary, Arthritis and Musculoskeletal and Skin

Diseases Special Grants Review Committee, NIAMS, Westwood Building, room 5A07, Bethesda, Maryland 20892, (301) 496-0754.

Ms. Suzanne Sangalan, Committee Management Officer, National Institute of Arthritis and Musculoskeletal and Skin Diseases, National Institutes of Health, Building 31, room 4C27, Bethesda, Maryland 20892, 301-496-0803, will provide summaries of the meeting and roster of the committee members upon request.

(Catalog of Federal Domestic Assistance Program No. 13.846, project grants in arthritis, musculoskeletal and skin diseases research, National Institutes of Health.)

Dated: September 10, 1990.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 90-22520 Filed 9-21-90; 8:45 am]

BILLING CODE 4140-01-M

National Institute of Environmental Health Sciences, Meeting of Board of Scientific Counselors, Division of Biometry and Risk Assessment

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, DBRA, October 30-31, 1990, in Building 101 Conference Room, South Campus, NIEHS, Research Triangle Park, North Carolina.

This meeting will be open to the public from 8:30 a.m. to 5 p.m. on October 30, for the purpose of presenting an overview of the organization and conduct of research in the Statistics and Biomathematics Branch.

Attendance by the public will be limited to space available. In accordance with the provisions set forth in section 552b(c)(6) of title 5 U.S. Code and section 10(d) of Public Law 92-463, the meeting will be closed to the public on October 31, from 8:30 a.m. to adjournment, for the evaluation of the Statistics and Biomathematics Branch, including consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Executive Secretary, Dr. David Hoel, Director, Division of Biometry and Risk Assessment, NIEHS, Research Triangle Park, N.C. 27709, telephone (919) 541-3441, FTS 629-3441, will furnish summaries of the meeting, rosters of committee members and substantive program information.

Dated: September 12, 1990.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 90-22521 Filed 9-21-90; 8:45 am]

BILLING CODE 4140-01-M

Public Health Service

Centers for Disease Control; Statement of Organization, Functions, and Delegations of Authority

Part H, Chapter HC (Centers for Disease Control) of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (45 FR 67772-67776, dated October 14, 1980, and corrected at 45 FR 69296, October 20, 1980, as amended most recently at 55 FR 22101, May 31, 1990) is amended to reflect the title change of the Division of Tuberculosis Control, Center for Prevention Services, to Division of Tuberculosis Elimination.

Section HC-B, Organization and Functions, is hereby amended as follows: Delete the title for the Division of Tuberculosis Control (HCM3) and substitute the following title: Division of Tuberculosis Elimination (HCM3).

Dated: September 10, 1990.

William L. Roper,

Director, Centers for Disease Control.

[FR Doc. 90-22540 Filed 9-21-90; 8:45 am]

BILLING CODE 4160-18-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[AK-919-00-4830-02-ADVB]

Northern Alaska Advisory Council

The Northern Alaska Advisory Council will hold a public meeting October 24, 1990, at BLM's Fairbanks Office Building, 1150 University Avenue, Fairbanks, Alaska. The meeting will begin at 8:30 a.m., public comment will be taken from 1 to 2 p.m., and the meeting will end at 5 p.m.

Topics of discussion will be (1) BLM-Alaska's revised planning schedule, (2) the FY91 budget overview, (3) the Fort Egbert Cultural Resource Management Plan, and (4) subsistence.

For information, contact the Public Affairs Office, Bureau of Land Management, 1150 University Avenue, Fairbanks, Alaska 99709, telephone (907) 474-2231.

Dated: September 17, 1990.

Jack C. Mellor,

Acting Designated District Manager.

[FR Doc. 90-22542 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-84-M

Fish and Wildlife Service

Receipt of Applications for Permits

The following applicants have applied for permits to conduct certain activities with endangered species. This notice is provided pursuant to section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, *et seq.*):

PRT 681220

Applicant: Harry Orrin Thomas, Sarasota, FL.

The applicant requests a permit to export and reimport captive-bred tigers (*Panthera tigris*) for exhibits during which the applicant provides information to the public regarding the tiger's ecological role and conservation needs.

PRT 750188

Applicant: Taxidermy International, Clayton, NC.

The applicant requests a permit to export an Eld's deer (*Cervus eldi*) trophy that was legally taken on Priour Brothers Ranch, Ingram, Texas, by Canadian hunter, Arnold Alward. The animal was culled from Priour Brothers' managed herd and now ready for shipment to Arnold Alward, Havelock, New Brunswick, Canada.

PRT 752843

Applicant: Arizona-Sonora Desert Museum, Tucson, AZ.

The applicant requests a permit to import 50 one ml. blood samples taken from wild San Esteban Island chuckwalla (*Sauromalus varius*) that inhabit Isla San Esteban in the Gulf of California, Mexico. The blood samples are to be imported for analysis of mitochondrial DNA and DNA fingerprinting for determination of genetic variation in wild and captive populations of this species.

PRT 750553

Applicant: William C. McClure, Pittsburgh, PA.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus dorcas dorcas*) to be culled from the captive herd maintained by Mr. F.W.M. Bowker, Jr., Grahamstown, Republic of South Africa, for the purpose of enhancement of survival of the species.

PRT 750539

Applicant: Francisco Acevedo C., Chula Vista, CA.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus dorcas dorcas*), culled from the captive herd maintained by Mr. Theo Erasmus, Farm Gelulk, Kroonstad District, Orange Free State, Republic of South Africa, for the purpose of enhancement of survival of the species.

PRT 750537

Applicant: Oscar Acevedo Marquez, Chula Vista, CA.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus dorcas dorcas*), culled from the captive herd maintained by Mr. Theo Erasmus, Farm Geluk, Kroonstad District, Orange Free State, Republic of South Africa, for the purpose of enhancement of survival of the species.

PRT 750958

Applicant: Metro Washington Park Zoo, Portland, OR.

The applicant requests a permit to import two male, two female and one juvenile Lhoest's monkeys (*Cercopithecus lhoesti*) from Stanley Park Zoo, Vancouver, B.C., Canada, for purposes of zoological display and breeding.

PRT 751345

Applicant: Baxter Consulting Services, Perris, CA.

The applicant requests a permit to live-trap and release Stephens' kangaroo rats (*Dipodomys stephensi*) in western Riverside County and Northern San Diego County, California, to determine this species' presence or absence on approved sites.

PRT 751404

Applicant: Marlo Mertens, Valrico, FL.

The applicant requests a permit to import the sport-hunted trophy of one male bontebok (*Damaliscus dorcas dorcas*), culled from the captive herd maintained by Mr. Al Spaeth, "Dornboom", Walmer, Republic of South Africa, for the purpose of enhancement of survival of the species.

PRT 751899

Applicant: Rosemary Miner, Holland, NY.

The applicant requests a permit to purchase two pairs of captive-hatched Hawaiian (=nene) geese (*Nesochen* (= *Branta*) *sandvicensis*) from Mr. Louis Strait, Warren, Indiana, for captive breeding purposes.

PRT 750512

Applicant: American Type Culture Collection, Rockville, MD.

The applicant requests a permit to sell in interstate commerce cultures of the

following species of endangered and threatened plants which are artificially propagated at their facility:

Coryphantha minima, *Coryphantha sneedii* var. *sneedii*, *Echinocereus viridiflorus* var. *davisii*, *Echinocereus fendleri* var. *kuenzleri*, *Pediocactus knowltonii*, *Pediocactus peeblesianus* var. *peeblesianus*, *Pediocactus bradyi*, *Coryphantha sneedii* var. *leei*, *Sclerocactus glaucus*, and *Sclerocactus mesae-verdae*. All cultures of species were obtained from Dr. Gregory Phillips, Plant Cellular and Developmental Biology, Department of Agronomy and Horticulture, New Mexico State University, Las Cruces, New Mexico.

PRT 750510 & PRT 750511

Applicant: American Type Culture Collection, Rockville, MD.

The applicant requests a permit for multiple exports and to sell in foreign commerce cell lines derived from the white-handed gibbon (*Hylobates lar*) for the purpose of scientific research.

Documents and other information submitted with these applications are available to the public during normal business hours (7:45 am to 4:15 pm) room 430, 4401 N. Fairfax Dr., Arlington, VA 22203, or by writing to the Director, U.S. Office of Management Authority, 4401 N. Fairfax Drive, room 432, Arlington, VA.

Interested persons may comment on any of these applications within 30 days of the date of this publication by submitting written views, arguments, or data to the Director at the above address. Please refer to the appropriate PRT number when submitting comments.

Date: September 18, 1990.

Karen Willson,

Acting Chief, Branch of Permits, U.S. Office of Management Authority.

[FR Doc. 90-22517 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-55-M

Preparation of an Environmental Impact Statement on Anticipated Permit Application to Incidentally Take the Threatened Northern Spotted Owl in California

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of intent and meetings.

SUMMARY: The U.S. Fish and Wildlife Service (Service) anticipates receiving a permit application under section 10(a) of the Endangered Species Act of 1973, as amended (Act) that would authorize the incidental take of the threatened northern spotted owl (*Strix occidentalis*

caurina) from privately owned forested lands in California. The California Board of Forestry intends to develop such a permit application, including the accompanying habitat conservation plan, for lands under its jurisdiction. In response to the anticipated proposal, the Service will gather necessary information to prepare a joint Federal Environmental Impact Statement (Impact Statement) and State Environmental Impact Report (Impact Report).

This notice describes the anticipated action and possible alternatives, and outlines the scoping process that will be used in preparing the Impact Statement/Impact Report. This notice is being furnished pursuant to the Act (50 CFR 17.32) and the National Environmental Policy Act (40 CFR 1501.7) regulations.

DATES: Three public scoping meetings will be held to provide an opportunity for verbal comments by agencies, organizations, and interested individuals. The public meetings are scheduled as follows:

- Ukiah, Mendocino County, on Tuesday, November 13, 1990, from 7 to 10 p.m., Carl Purdy Pavilion, Redwood Empire Fairgrounds, 1055 N. State Street;
- Eureka, Humboldt County, on Wednesday, November 14, 1990, from 7 to 10 p.m., Eureka High School Auditorium, 1915 "J" Street; and
- Redding, Shasta County, on Thursday, November 15, 1990, from 7 to 10 p.m., Fusaro Hall, Shasta District Fairgrounds, 1890 Briggs Street.

Written comments related to the scope and content of the joint document will be accepted at the address below until December 15, 1990.

ADDRESSES: Information, comments, or questions relating to the proposed Impact Statement/Impact Report or scoping process should be addressed to Mr. Wayne S. White, Field Supervisor, U.S. Fish and Wildlife Service, Sacramento Field Station, 2800 Cottage Way, Room E-1803, Sacramento, California 95825-1846.

FOR FURTHER INFORMATION CONTACT: Mr. Phillip J. Detrich, U.D. Fish and Wildlife Service, Sacramento Field Station, 2800 Cottage Way, Room E-1803, Sacramento, California 95825-1846, 916-978-4866 or 8-460-4866. Interested parties are encouraged to attend a scoping meeting to identify and discuss major issues and alternatives that should be discussed in the Impact Statement/Impact Report. Interested parties are reminded that the primary purpose of the scoping process is to identify rather than debate or argue, the

significant issues related to the anticipated action.

SUPPLEMENTARY INFORMATION:

The northern spotted owl was listed as a threatened species on June 26, 1990 (55 FR 26114). This regulation became effective on July 23, 1990. Section 9(a) of the Act prohibits the "take" of endangered species. Regulations provide the same taking prohibitions for threatened species (50 CFR 17.31). The Act defines "take" as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." "Harm" is further defined by regulation as any act that kills or injures listed wildlife species. Harm may include "significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering." However, the Service, under limited circumstances, may issue permits pursuant to section 10(a) of the Act to take listed wildlife species incidental to, and not the purpose of, otherwise lawful activities. Regulations governing "incidental take" permits for threatened species are at 50 CFR 17.32.

As required under the State Forest Practices Act, the California Board of Forestry (Board) regulates timber harvest activities on private lands. Because the northern spotted owl occurs in privately owned forests, otherwise lawful harvest activities on private timberlands may result in the take of the owl. As a result, the Board passed several emergency rules on July 11, 1990, which will ensure that Board-approved timber harvest plans will not incidentally take the northern spotted owl. Though these rules are valid for only 120 days, the Board likely will extend these emergency rules for at least an additional 120 days. In the interim, the Board intends to apply for an incidental take permit pursuant to section 10(a) of the Act that, if approved, would authorize the incidental take of the spotted owl from privately owned forested lands in California. Consequently, the Board will develop a conservation plan, which will accompany the permit application.

The purpose of this anticipated planning effort is that the conservation plan and accompanying permit application, if approved, will ensure the continued existence of the northern spotted owl on the private timberlands addressed in the plan, while resolving potential conflicts arising from otherwise lawful timber harvest activities on private lands in California. The Service's underlying need is that the

agency must decide, when it receives the application, whether to issue the incidental take permit to the Board. Congress has directed that such permits be issued in accordance with the requirements of section 10(a) of the Act.

A preliminary list of six alternatives that are being considered by the Board include: (1) Provide no additional protection on private lands (No-Action Alternative); (2) maintain only dispersal habitat on private lands adjacent to Federal lands being managed for the northern spotted owl; (3) maintain high habitat capability on State and private lands that are intermixed with owl-managed Federal lands; (4) implement a comprehensive conservation plan to provide for viable owl populations on private lands; (5) maintain suitability of existing habitat on all private lands; and (6) prevent any timber harvest in habitat on State or private lands (Continuation of Emergency Rules or No-Permit Alternative).

A tentative list of issues, concerns, and opportunities has been developed. There will be a discussion of potential effects from each preliminary alternative in relation to the following issues: (1) Northern spotted owl and its habitat; (2) candidate species and other wildlife; (3) vegetation; and (4) fisheries; (5) soil and water quality; (6) timber supply; (7) regional income and employment; (8) county and State revenues; (9) recreation and aesthetics; and (10) cultural resources; and (11) institutional impacts.

Dated: September 18, 1990.

Marvin L. Plenfert,

Regional Director, U.S. Fish and Wildlife Service, Region-1, Portland, Oregon.

[FR Doc. 90-22541 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-55-M

National Park Service

Meeting; Committee for the Preservation of the White House

In compliance with the Federal Advisory Committee Act, notice is hereby given of a meeting of the Committee for the Preservation of the White House. The meeting will be held at the Old Executive Office Building, Washington, DC at 2 p.m., Friday, October 5, 1990. It is expected that the agenda will include discussion of policies, goals and refurbishing plans. The meeting will be open, but subject to appointment and security clearance requirements including providing

clearance information by September 28, 1990.

Inquiries may be made by calling the Committee for the Preservation of the White House between 9 a.m. and 4 p.m., weekdays at (202) 619-7299. Written comments may be sent to Executive Secretary, Committee for the Preservation of the White House, 1100 Ohio Drive SW., Washington, DC, 20242

Dated: September 17, 1990.

James I. McDaniel,

Executive Secretary, Committee for the Preservation of the White House.

[FR Doc. 90-22527 Filed 9-21-90; 8:45 am]

BILLING CODE 4310-10-M

INTERNATIONAL TRADE COMMISSION

[Investigation No. 701-TA-298 (Panel Remand)]

Fresh, Chilled, or Frozen Pork From Canada

AGENCY: United States International Trade Commission.

ACTION: Remand proceedings.

SUMMARY: The commission hereby gives notice of its remand proceedings order by an Article 1904 Binational Panel with respect to the Commission's final countervailing duty investigation No. 701-TA-298 (Final), Fresh, Chilled, or Frozen Pork from Canada. These remand proceedings will be conducted under section 705(b) of the Tariff Act of 1930 (19 U.S.C. 1671(d)) (the act) to reexamine data concerning Canadian production, exports, imports, and apparent consumption; production capacity at Fletcher's Fine Foods and the Canadian industry as a whole; and Japanese imports of pork from Taiwan and Canada as well as the Commission majority's reliance on that data.

FOR FURTHER INFORMATION CONTACT: Bruce Cates, (202-252-1287), Office of Investigations U.S. International Trade Commission, 500 E Street SW Washington, DC, 20436. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-252-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-252-1000.

SUPPLEMENTARY INFORMATION:

Background

On August 23, 1990, an Article 1904 U.S.-Canada Binational Panel, established to review the Commission's

determination in Fresh, Chilled, or Frozen Pork from Canada, Inv. No. 701-TA-298, remanded the Commission's final affirmative determination to the Commission for additional proceedings.

Specifically, the panel noted that a table contained in the Commission's staff report on Canadian production, imports, exports, and apparent consumption, contained faulty use of statistics, in particular an overstated increase in Canadian production. The panel concluded that because several of the Commission's findings were based on the use of those statistics, the determination had to be remanded. The panel suggested that the smaller Canadian production increase might lead the Commission to give additional weight to other factors. The panel also expressed concern about the Commission's conclusions as to the impact on the Canadian pork packing industry of the closure of the Fletcher's Fine Foods packing plant. In addition, the panel noted that the record evidence on Canadian exports to Japan did not support the Commission majority's conclusion that pork exports would be diverted from Japan to the United States.

The Commission will reopen the record to gather information on three narrow aspects of its investigation. It will seek new data concerning (1) Canadian production, imports, exports, and apparent consumption; (2) the production capacity and utilization of the Fletcher's Fine Foods pork packing plant in Red Deer, Alberta and of the Canadian pork packing industry as a whole; and (3) Japanese imports of pork from Taiwan and Canada. The data sought will cover only the period of the commission's original investigation. The Commission will, to the extent possible, make available in a timely fashion copies of its staff's findings on these issues in order that the parties may comment on them in their briefs. The Commission will report the results of such remand determination within 60 days of the date of the panel order, August 24, 1990.

Participation in these proceedings

Only those persons who were interested parties and parties to the proceeding (*i.e.*, persons listed on the Commission Secretary's service list) may participate in this remand determination.

Service List

Pursuant to § 201.11(d) to the Commission's rules, (19 CFR 201.11(d)), the Secretary will prepare a service list containing the names and addresses of all persons, or their representatives,

who were interested parties and parties to the Commission's initial determination. In accordance with §§ 201.16(c) and 207.3 of the Commission's rules (19 CFR 201.16(c) and 207.3), each document filed by a party to the remand investigation (as identified by the service list), and a certificate of service must accompany the document. The secretary will not accept a document for filing without a certificate of service.

Written Submissions

All legal arguments, economic analyses, and factual material relevant to the remand investigation should be included in briefs, limited to 25 pages in length, in accordance with Commission rule 207.24 (19 CFR 207.24) and must be submitted no later than close of business October 1, 1990. No new factual material may be submitted to the Commission other than that relating to: (1) Canadian production, imports, exports, and apparent consumption; (2) production capacity and capacity utilization of Fletcher's Fine Foods and capacity utilization of the Canadian pork industry; and (3) Japanese imports of pork from Taiwan and Canada. No new legal or economic arguments, other than those raised in the panel order, may be raised by the parties.

A signed original and fourteen (14) copies of each submission must be filed with the Secretary to the Commission in accordance with § 201.8 of the Commission's rules (19 CFR 201.8). All written submissions except for business confidential information will be available for public inspection during regular business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary of the Commission.

Any information for which business confidential treatment is requested must be submitted separately. The envelope and all pages of such submission must be clearly labeled "Business Confidential Information." Business confidential submissions and requests for business confidential treatment must conform with the requirements of §§ 201.6 and 207.7 of the commission's rules (19 CFR 201.6 and 207.7).

Authority

This investigation is being conducted under authority of the Tariff Act of 1930, title VII. This notice is published pursuant to § 207.20 of the Commission's rules (19 CFR 207.20).

Issued: September 19, 1990.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 90-22612 Filed 9-21-90; 8:45 am]

BILLING CODE 7020-02-M

INTERSTATE COMMERCE COMMISSION

[EX PARTE NO. 290 (Sub No. 5) (90-4)]

Quarterly Rail Cost Adjustment Factor

AGENCY: Interstate Commerce Commission.

ACTION: Approval of Rail Cost Adjustment Factor and decision.

SUMMARY: The Commission has approved the fourth quarter 1990 Rail Cost Adjustment Factor (RCAF) and cost index filed by the Association of American Railroads. The fourth quarter RCAF (Adjusted) is 1.058, an increase of 1.4 percent over the third quarter RCAF (Adjusted) of 1.043. The fourth quarter RCAF (Unadjusted) is 1.126. Maximum fourth quarter RCAF rate levels may not exceed 101.4 percent of maximum third quarter 1990 RCAF rate levels.

EFFECTIVE DATE: October 1, 1990.

FOR FURTHER INFORMATION CONTACT:

William T. Bono, (202) 275-7354

Robert C. Hasek, (202) 275-0938

TDD for hearing impaired, (202) 275-1721.

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision write to, call or pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington DC 20423, or telephone (202) 289-4357 or 4359. Assistance for the hearing impaired is available through TDD services (202) 275-1721.

This action will not significantly affect either the quality of the human environment or energy conservation. It will not have a significant impact on a substantial number of small entities.

Decided: September 18, 1990.

By the Commission, Chairman Philbin, Vice Chairman Phillips, Commissioners Simmons, Lamboley, and Emmett.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 90-22573 Filed 9-21-90; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (90-78)]

Agency Report Forms Under OMB Review

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of agency report forms under OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), agencies are required to submit proposed information collection requests to OMB for review and approval, and to publish a notice in the *Federal Register* notifying the public that the agency has made the submission.

Copies of the proposed forms, the requests for clearance (S.F. 83's), supporting statements, instructions, transmittal letters and other documents submitted to OMB for review, may be obtained from the Agency Clearance Officer. Comments on the items listed should be submitted to the Agency Clearance Officer and the OMB Paperwork Reduction Project.

DATES: Comments are requested by October 24, 1990. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB Paperwork Reduction Project and the Agency Clearance Officer of your intent as early as possible.

ADDRESSES: Mr. D.A. Gerstner, NASA Agency Clearance Officer, Code NTD, NASA Headquarters, Washington, DC 20546; Office of Management and Budget, Paperwork Reduction Project (2700-), Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Shirley C. Peigare, NASA Reports Officer, (202) 755-1430.

Reports

Title: Survey of NASA Space Physics Community.

OMB Number: New.

Type of Request: New collection.

Frequency of Report: As required.

Type of Respondent: State or local governments, businesses or other for-profit, federal agencies or employees, non-profit institutions, small businesses or organizations.

Number of Respondents: 2500.

Responses per Respondent: 1.

Annual Responses: 2500.

Hours per Response: .5.

Annual Burden Hours: 1250.

Abstract-Need/Uses: This survey form is to be used to obtain data in the Space Physics Community including

human resources and funding trends, availability to computer resources and graduate students, and community opinions and perceptions. This will provide necessary information for the NASA Space Physics Division to plan its resources effectively.

Dated: September 13, 1990.

D.A. Gerstner,

Director, IRM Policy Division.

[FR Doc. 90-22530 Filed 9-21-90; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Agency Information Collection Under OMB Review

AGENCY: National Endowment for the Humanities.

ACTION: Notice.

SUMMARY: The National Endowment for the Humanities (NEH) has sent to the Office of Management and Budget (OMB) the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

DATES: Comments on this information collection must be submitted on or before October 24, 1990.

ADDRESSES: Send comments to Ms. Susan Daisey, National Endowment for the Humanities, Grants Office, room 310, 1100 Pennsylvania Avenue NW., Washington, DC 20506 (202-786-0494) and Mr. Dan Chenok, Office of Management and Budget, New Executive Office Building, 726 Jackson Place NW., room 3002, Washington, DC 20503 (202-395-7316).

FOR FURTHER INFORMATION CONTACT:

Ms. Susan Daisey, National Endowment for the Humanities, Grants Office, room 310, 1100 Pennsylvania Avenue NW., Washington, DC 20506 (202) 786-0494 from whom copies of forms and supporting documents are available.

SUPPLEMENTARY INFORMATION: All of the entries are grouped into new forms, revisions, or extensions. Each entry is issued by NEH and contains the following information: (1) The title of the form; (2) the agency form number, if applicable; (3) how often the form must be filled out; (4) who will be required or asked to report; (5) what form will be used for; (6) an estimate of the number of responses; (7) an estimate of the total number of hours needed to fill out the form. None of these entries are subject to 44 U.S.C. 3504(h).

Category: Revisions

Title: Application Instructions and Forms for the Collaborative Projects Category.

Form Number: Not applicable.

Frequency of Collection: Annual.

Respondents: Humanities researchers and institutions.

Use: Application for funding.

Estimated Number of Respondents: 98 per year.

Frequency of Response: Once.

Estimated Hours for Respondents to Provide Information: 52 per respondent.

Estimated Total Annual Reporting and Recording Burden: 9,656 hours.

Thomas S. Kingston,

Assistant Chairman for Operations.

[FR Doc. 90-22478 Filed 9-21-90; 8:45 am]

BILLING CODE 7536-01-M

Agency Information Collection Under OMB Review

AGENCY: National Endowment for the Humanities.

ACTION: Notice.

SUMMARY: The National Endowment for the Humanities (NEH) has sent to the Office of Management and Budget (OMB) the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

DATES: Comments on this information collection must be submitted on or before October 24, 1990.

ADDRESSES: Send comments to Ms. Susan Daisey, National Endowment for the Humanities, Grants Office, Room 310, 1100 Pennsylvania Avenue NW., Washington, DC 20506 (202-786-0494) and Mr. Dan Chenok, Office of Management and Budget, New Executive Office Building, 726 Jackson Place NW., room 3002, Washington, DC 20503 (202-395-7316).

FOR FURTHER INFORMATION CONTACT: Ms. Susan Daisey, National Endowment for the Humanities, Grants Office, room 310, 1100 Pennsylvania Avenue NW., Washington, DC 20506 (202) 786-0494 from whom copies of forms and supporting documents are available.

SUPPLEMENTARY INFORMATION: All of the entries are grouped into new forms, revisions, or extensions. Each entry is issued by NEH and contains the following information: (1) The title of the form; (2) the agency form number, if applicable; (3) how often the form must be filled out; (4) who will be required or asked to report; (5) what form will be used for; (6) an estimate of the number of responses; (7) an estimate of the total number of hours needed to fill out the

form. None of these entries are subject to 44 U.S.C. 3504(h).

Category: Revisions

Title: Application Instructions and Forms for the Archaeology Projects Category.

Form Number: Not applicable.

Frequency of Collection: Annual.

Respondents: Humanities researchers and institutions.

Use: Application for funding.

Estimated Number of Respondents: 58 per year.

Frequency of Response: Once.

Estimated Hours for Respondents to Provide Information: 52 per respondent.

Estimated Total Annual Reporting and Recording Burden: 5,896 hours.

Thomas S. Kingston,

Assistant Chairman for Operations.

[FR Doc. 90-22479 Filed 9-21-90; 8:45 am]

BILLING CODE 7536-01-M

NATIONAL SCIENCE FOUNDATION**Permit Applications Received Under the Antarctica Conservation Act of 1978**

AGENCY: National Science Foundation.

ACTION: Notice of permit applications received under the Antarctic Conservation Act of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act of 1978 at title 45 part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to these permit applications by October 22, 1990. Permit applications may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, room 627, Division of Polar Programs, National Science Foundation, Washington, DC 20550.

FOR FURTHER INFORMATION CONTACT: Charles E. Myers at the above address or (202) 357-7934

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), has developed regulations that implement the "Agreed Measures for the Conservation of Antarctic Fauna and

Flora" for all United States citizens. The Agreed Measures, developed in 1964 by the Antarctic Treaty Consultative Parties, recommended establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas as requiring special protection. The regulations establish such a permit system to designate Specially Protected Areas and Sites of Special Scientific Interest.

The applications received are as follows:

1. *Applicant 90-24*, William R. Fraser, Department of Oceanography, Old Dominion University, Norfolk, VA.

Activity for Which Permit Requested

Taking. Import into USA. The applicant is conducting a study of the effects of oil spilled into the marine environment on seabirds. He proposes to take birds by (1) banding, (2) stomach pumping, (3) weighing and measuring, and (4) affixing/removing radio transmitters. The following specimens will be taken:

	Number
Adelie penguins.....	3,640
Giant Fulmar.....	400
Kelp Gull.....	100
South Polar Skua.....	1200
Brown Skua.....	50
Blue-eyed Shag.....	200

All birds will be released at the conclusion of the measurements/observations.

Location

Palmer Station and vicinity, Antarctica.

Dates

November 1990—March 1991.

2. *Applicant 90-25*, William R. Fraser, Department of Oceanography, Old Dominion University, Norfolk, VA.

Activity for Which Permit Requested

Enter specially protected area. The applicant is conducting a study of the effects of oil and spilled into the marine environment. He proposes to enter Litchfield Island specially protected Area to census penguins and other seabirds breeding at the site.

Location

Litchfield Island specially protected area, near Palmer Station, Antarctica

Dates

November 1990—March 1991.

3. *Applicant 90-26*, W. Scott Drieschman, P.O. Box 65, Palomar Mountain, CA 92060.

Activity For Which Permit Requested

Taking. The applicant proposes to collect up to 60 each Adelie, Chinstrap, and Gentoo penguin incubating eggs and transport them in incubators to Japan. The eggs will be hatched and the penguins reared in a temperature controlled rearing/holding facility for Adventure World, Shirahama, Nishimuro-gun, Wakayama Marine Zoological Park. Data on growth rates will be compiled and made available to interested researchers.

Location

Antarctic Peninsula area

Dates

November 1990—December 1990.

Charles E. Myers,

Permit Office.

[FR Doc. 90-22481 Filed 9-21-90; 8:45 am]

BILLING CODE 7555-01-M

DEPARTMENT OF TRANSPORTATION**Coast Guard**

[CGD1-90-153]

New York Harbor Traffic Management Advisory Committee; Meeting

AGENCY: Coast Guard, DOT

ACTION: Notice of meeting.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I), notice is hereby given of a meeting of the New York Harbor Traffic Management Advisory Committee to be held on October 10, 1990, in the Conference Room, second floor, U.S. Coast Guard Marine Inspection Office, Battery Park, New York, New York, beginning at 10 a.m.

The agenda for this meeting of the New York Harbor Traffic Management Advisory Committee is as follows:

1. Introductions.
2. Update of Marine Events.
3. Update of dredging operations in New York harbor.
4. Update on Vessel Traffic Service.
5. Topics from the floor.
6. Review of agenda topics and selection of date for next meeting.

The New York Harbor Traffic Management Advisory Committee has been established by Commander, First Coast Guard District to provide information, consultation, and advice with regard to port development, maritime trade, port traffic, and other maritime interests in the harbor. Members of the Committee serve

voluntarily without compensation from the Federal Government.

Attendance is open to the interested public. With advance notice to the Chairperson, members of the public may make oral statements at the meeting. Persons wishing to present oral statements should so notify the Executive Director no later than the day before the meeting. Any member of the public may present a written statement to the Committee at any time.

FOR FURTHER INFORMATION CONTACT:

Lieutenant Commander J.E. Bussey, USCG, Executive Secretary, NY Harbor Traffic Management Advisory Committee, Vessel Traffic Service, Building 333 Third floor, Governors Island, New York, NY 10004; or by calling (212) 668-7429.

Dated: September 11, 1990.

R.I. Rybacki,

Rear Admiral, U.S. Coast Guard Commander, First Coast Guard District.

[FR Doc. 90-22537 Filed 9-21-90; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF THE TREASURY**Public Information Collection Requirements Submitted to OMB for Review**

Dated: September 18, 1990.

The Department of the Treasury has made revisions and resubmitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96-511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue NW., Washington, DC 20220.

Internal Revenue Service

OMB number: 1545-0675

Form number: 1040EZ

Type of review: Resubmission

Title: Income Tax Return for Single Filers With No Dependents

Description: This form is used by certain single individuals to report their income subject to income tax and to figure their correct tax liability. The data is also used to verify that the items reported on the form are correct and are also for general statistical use.

Respondents: Individuals or households

Estimated number of respondents:

19,440,201

Estimated burden hours per response/recordkeeping:

Recordkeeping—5 minutes

Learning about the law or the form—34 minutes

Preparing the form—40 minutes

Copying, assembling, and sending the form to IRS—40 minutes

Frequency of response: Annually

Estimated total recordkeeping/reporting burden: 26,142,121 hours

Clearance/Officer: Garrick Shear, (202) 535-4297, Internal Revenue Service, Room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

OMB reviewer: Milo Sunderhauf, (202) 395-6880, Office of Management and Budget, Room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 90-22529 Filed 9-21-90; 8:45 am]

BILLING CODE 4830-01-M

Customs Service

[T.D. 90-76]

Revocation of Corporate Customs Broker's License No. 10121 Issued to Exim Customs Brokers, Inc.

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: General notice.

SUMMARY: Notice is hereby given that the corporate Customs broker license (number 10121) issued to Exim Customs Brokers, Inc., has been revoked by operation of law pursuant to section 641 (b)(5), Tariff Act of 1930, as amended (19 U.S.C. 1641 (b)(5)), for failure to have for a continuous period of 120 days at least one validly licensed officer of the corporation. Such revocation was effective September 11, 1989.

Dated: September 13, 1990

Victor G. Weeren,

Director, Office of Trade Operations.

[FR Doc. 90-22533 Filed 9-21-90; 8:45 am]

BILLING CODE 4820-02-M

Office of Thrift Supervision**First Savings Bank of Hempstead, F.S.B.; Appointment of Conservator**

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2) (B) and (H) of the Home Owners'

Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Conservator for First Savings Bank of Hempstead, F.S.B., Hempstead, Texas on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22516 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

Capitol City Federal Savings Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5 (d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Capitol City Federal Savings Association, Austin, Texas, Docket No. 8608, on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22510 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

City Federal Savings & Loan Association; Notice of Replacement of Conservator With a Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5 (d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for City Federal Savings and Loan Association, Birmingham, Alabama, with the Resolution Trust Corporation as sole Receiver for the Association on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22507 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

Crest Federal Savings & Loan Association; Notice of Replacement of Conservator With a Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5 (d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Crest Federal Savings and Loan Association, Kankakee, Illinois, with the Resolution Trust Corporation as sole Receiver for the Association on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22508 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

Equity Federal Savings Bank; Notice of Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5 (d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Equity Federal Savings Bank, Denver, Colorado, Docket No. 5776, on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22511 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

First Federal Savings Bank of Hempstead; Notice of Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5 (d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for First Federal Savings Bank of Hempstead, Hempstead, Texas, OTS Docket No. 8499, on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22512 Filed 4-21-90; 8:45 am]

BILLING CODE 6720-01-M

Appointment of Receiver; Sooner Federal Savings Association

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Sooner Federal Savings Association, Tulsa, Oklahoma, Docket No. 8690, on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22514 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

Suburban Savings Assoc.; Notice of Replacement of Conservator With a Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the Resolution Trust Corporation as Conservator for Suburban Savings Association, San Antonio, Texas with the Resolution Trust Corporation as sole Receiver for the Association on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22509 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

Williamsburg Federal Savings and Loan Assoc.; Replacement of Conservator With Receiver

Notice is hereby given that, pursuant to the authority contained in subdivision (F) of section 5(d)(2) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, the Office of Thrift Supervision duly replaced the

Resolution Trust Corporation as Conservator for Williamsburg Federal Savings and Loan Association, Salt Lake City, Utah, with the Resolution Trust Corporation as sole Receiver for the Association on September 14, 1990.

Dated: September 18, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22515 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

AC-52; OTS NO. 0934

Ames Savings Bank, FSB, Ames, IA; Notice of Final Action; Approval of Conversion Application

Notice is hereby given that on August 13, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of Ames Savings Bank, FSB, Ames, Iowa, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Des Moines District Office, 907 Walnut Street, Des Moines, Iowa 50309.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22503 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

[AC-48; OTS NO. 0913]

Centennial Savings Bank, FSB, Cheviot, Ohio; Notice of Final Action; Approval of Conversion Application

Dated: September 10, 1990.

Notice is hereby given that on August 1, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of Centennial Savings Bank, FSB, Cheviot, Ohio, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC

20552, and District Director, Office of Thrift Supervision, Cincinnati District Office, 200 Atrium Two, 221 E. 4th Street, Cincinnati, Ohio 45201-0598.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22499 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

[AC-53; OTS NO. 5746]

Coastal Federal Savings Bank, Myrtle Beach, SC; Notice of Final Action; Approval of Conversion Application

Dated: September 10, 1990.

Notice is hereby given that on August 13, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of Coastal Federal Bank, Myrtle Beach, South Carolina, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Atlanta District Office, 1475 Peachtree Street NE., Atlanta, Georgia 30348-5217.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22504 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

[AC-49; OTS NO. 3342]

First Federal Savings & Loan Association of Donalsonville, Donalsonville, GA; Notice of Final Action; Approval of Conversion Application

Dated: September 10, 1990.

Notice is hereby given that on August 10, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of First Federal Savings and Loan Association of Donalsonville, Donalsonville, Georgia, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Atlanta District

Office, 1475 Peachtree Street NE., Atlanta, Georgia 30348-5217.Q04

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22500 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

[AC-51; OTS NO. 0850]

First Carolina Federal Savings Bank, Kings Mountain, NC; Notice of Final Action; Approval of Conversion Application

Dated: September 10, 1990.

Notice is hereby given that on August 13, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of First Carolina Federal Savings Bank, Kings Mountain, North Carolina, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Atlanta District Office, 1475 Peachtree Street NE., Atlanta, Georgia 30348-5217.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.

[FR Doc. 90-22505 Filed 9-21-90; 8:45 am]

BILLING CODE 6720-01-M

[AC-55; OTS NO. 7459]

InterFirst Federal Savings Bank, Ypsilanti, MI; Notice of Final Action; Approval of Conversion Application

Dated: September 10, 1990.

Notice is hereby given that on August 24, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of InterFirst Federal Savings Bank, Ypsilanti, Michigan, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Indianapolis District Office, 8250 Woodfield Crossing Blvd., suite 305, Indianapolis, Indiana 46240.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.
[FR Doc. 90-22501 Filed 9-21-90; 8:45 am]
BILLING CODE 6720-01-M

[AC-50; OTS NO. 4100]

**Ludington Savings Bank, F.S.B.,
Ludington, MI; Notice of Final Action
Approval of Conversion Application**

Dated: September 10, 1990.

Notice is hereby given that on August 13, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of Ludington Savings Bank, F.S.B., Ludington, Michigan, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Indianapolis District Office, 8250 Woodfield Crossing Blvd., suite 305, Indianapolis, Indiana 46240.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.
[FR Doc. 90-22502 Filed 9-21-90; 8:45 am]
BILLING CODE 6720-01-M

[AC-54; OTS NO. 5272]

**Public Service Bank, a Federal Savings
Bank, St. Louis, MO; Notice of Final
Action, Approval of Conversion
Application**

Dated: September 10, 1990.

Notice is hereby given that on August 13, 1990, the designee of the Chief Counsel, Office of Thrift Supervision, acting pursuant to the authority delegated to him, approved the application of Public Service Bank, a federal savings bank, St. Louis, Missouri, for permission to convert to the stock form of organization. Copies of the application are available for inspection at the Secretariat, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552, and District Director, Office of Thrift Supervision, Des Moines District Office, 907 Walnut Street, Des Moines, Iowa 50309.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.
[FR Doc. 90-22506 Filed 9-21-90; 8:45 am]
BILLING CODE 6720-01-M

[AC-56 OTS No. 1709]

**Yankton Savings & Loan Assoc.
Yankton, SD; Final Action Approval of
Voluntary Supervisory Conversion
Application and Related Applications**

Date: September 17, 1990.

Notice is hereby given that the Principal Senior Deputy Director, acting pursuant to authority delegated to him by the Director, of the Office of Thrift Supervision on August, 1990, approved the application of Yankton Savings and Loan Association, Yankton, South Dakota ("Association"), for permission to convert into a Federal stock savings bank ("Savings Bank") pursuant to a voluntary supervisory conversion, and the acquisition of all the conversion stock by Norwest Corporation, Minneapolis, Minnesota ("Corporation"). Also approved are a related holding company application by Corporation and related applications for Savings Bank to transfer its assets and voluntarily dissolve under OTS regulations.

By the Office of Thrift Supervision.

Nadine Y. Washington,
Executive Secretary.
[FR Doc. 90-22513 Filed 9-21-90; 8:45 am]
BILLING CODE 6720-01-M

**DEPARTMENT OF VETERANS
AFFAIRS**

**Information Collection Under OMB
Review**

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

The Department of Veterans Affairs has submitted to OMB the following proposal for the collection of information under the provision of the Paperwork Reduction Act (44 U.S.C. chapter 35). This document lists the following information: (1) The agency responsible for sponsoring the information collection; (2) the title of the information collection; (3) the Department form number(s), if applicable; (4) a description of the need and its use; (5) frequency of the information collection, if applicable; (6) who will be required or asked to respond; (7) an estimate of the number of responses; (8) an estimate of the total number of hours needed to complete the information collection; and (9) an indication of whether section 3504(h) of Public Law 96-511 applies.

ADDRESSES: Copies of the proposed information collection and supporting documents may be obtained from Patti

Viers, VA Clearance Officer (723), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 233-3172.

Comments and questions about the items on the list should be directed to VA's OMB Desk Officer, Joseph Lackey, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503, (202) 395-7316. Do not send requests for benefits to this address.

DATES: Comments on the information collection should be directed to the OMB Desk Officer by October 24, 1990.

Dated: September 13, 1990.

By direction of the Secretary:

Kenneth H. Hoffmann,
Director, Policy and Standards Service.

Extension

1. Office of Finance and Planning.
2. Work Study Time Record (Veteran-Student Services).
3. VA Form 4-8690.
4. The form is used to record hours worked by work study participants under VA Work Study Program and to support payment allowance. The information is used by VA to process payment to the work study participant.
5. On occasion.
6. Individuals or households; Small businesses or organizations.
7. 41,520 responses.
8. ¼ hour.
9. Not applicable.

[FR Doc. 90-22470 Filed 9-21-90; 8:45 am]
BILLING CODE 8320-01-M

**Information Collection Under OMB
Review**

AGENCY: Department of Veterans Affairs.

ACTION: Notice.

The Department of Veterans Affairs has submitted to OMB the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35). This document lists the following information: (1) The agency responsible for sponsoring the information collection; (2) the title of the information collection; (3) the Department form number(s), if applicable; (4) a description of the need and its use; (5) frequency of the information collection, if applicable; (6) who will be required or asked to respond; (7) an estimate of the number of responses; (8) an estimate of the total

number of hours needed to complete the information collection; and (9) an indication of whether section 3504(h) of Public Law 96-511 applies.

ADDRESSES: Copies of the proposed information collection and supporting documents may be obtained from Patti Viers, VA Clearance Officer (723), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 233-3172.

Comments and questions about the items on the list should be directed to VA's OMB Desk Officer, Joseph Lackey, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503, (202) 395-7316. Do not send requests for benefits to this address.

DATES: Comments on the information collection should be directed to the OMB Desk Officer by October 24, 1990.

Dated: September 13, 1990.

By direction of the Secretary:
Kenneth H. Hoffmann,
Director, Policy and Standards Service.

Extension

1. Office of Finance and Planning.
2. Application for Refund of Educational Contributions.
3. VA Form 4-5281.
4. The form is used by veterans and service persons who have disenrolled from the program to request a refund of their contributions to the Post-Vietnam Veterans Educational Assistance Program. The information is used by VA to process the refund payment.
5. One-time.
6. Individuals or households; Federal agencies or employees.
7. 76,000 responses.
8. ½ hour.

9. Not applicable.

[FR Doc. 90-22471 Filed 9-21-90; 8:45 am]
BILLING CODE 8320-01-M

Scientific Review and Evaluation Board for Rehabilitation Research and Development; Renewal

This gives notice under the Federal Advisory Committee Act (Pub. L. 92-463) of October 6, 1972, that the Department of Veterans Affairs Scientific Review and Evaluation Board for Rehabilitation Research and Development has been renewed for a two-year period beginning September 12, 1990 through September 11, 1992.

Dated: September 14, 1990.

By direction of the Secretary.
Sylvia C. Long,
Committee Management Officer.
[FR Doc. 90-22469 Filed 9-21-90; 8:45 am]
BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register

Vol. 55, No. 185

Monday, September 24, 1990

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Change in Subject Matter of Agency Meeting

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:12 p.m. on Tuesday, September 18, 1990, the Corporation's Board of Directors determined, on motion of C.C. Hope, Jr., Director (Appointive), seconded by T. Timothy Ryan, Jr., Director (Office of Thrift Supervision), concurred in by Robert L. Clarke, Director (Comptroller of the Currency), Andrew C. Hove, Jr., Vice Chairman of the Board of Directors, and L. William Seidman, Chairman of the Board of Directors, that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Memorandum and resolution re: Amendments to Part 337 of the Corporation's rules and regulations, entitled "Unsafe and Unsound Banking Practices," which prohibit the acceptance of brokered deposits by any undercapitalized insured depository institution after December 7, 1989, except on specific application to and waiver of the prohibition by the Corporation.

The Board further determined, by the same majority vote, that no notice of the change in the subject matter of the meeting earlier than September 17, 1990, was practicable.

Dated: September 19, 1990.
Federal Deposit Insurance Corporation.
Robert E. Feldman,
Deputy Executive Secretary.
[FR Doc. 90-22639 Filed 9-20-90; 9:33 am]
BILLING CODE 6714-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 3 p.m. on Tuesday, September 18, 1990, the Board of Directors of the Federal Deposit Insurance Corporation

met in closed session to consider the following matters:

Application of The Citizens Bank of Cochran, Cochran, Georgia, a Bank Insurance Fund member and an insured State nonmember bank, for consent to acquire certain assets and assume the liability to pay deposits of the Cochran Branch of Georgia Federal Bank, F.S.B., Atlanta, Georgia, a Savings Association Insurance Fund member and a Federally chartered thrift institution; and for consent to convert deposits from the Savings Association Fund to the Bank Insurance Fund as contemplated by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Application of The Citizens Bank, Fort Valley, Georgia, a Bank Insurance Fund member and an insured State nonmember bank, for consent to acquire certain assets and assume the liability to pay deposits of the Fort Valley Branch of Georgia Federal Bank, F.S.B., Atlanta, Georgia, a Savings Association Insurance Fund member and a Federally chartered thrift institution; and for consent to convert deposits from the Savings Association Fund to the Bank Insurance Fund as contemplated by the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Application for exemption from cross-guarantee provisions of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Administrative enforcement proceedings. Matters relating to the possible closing of certain insured banks.

Recommendation regarding an assistance agreement with a depository institution.

Recommendation regarding the Corporation's corporate activities.

In calling the meeting, the Board determined, on motion of C.C. Hope, Jr., Director (Appointive), seconded by Robert L. Clarke, Director (Comptroller of the Currency), concurred in by T. Timothy Ryan, Jr., Director (Office of Thrift Supervision), Andrew C. Hove, Jr., Vice Chairman of the Board of Directors, and L. William Seidman, Chairman of the Board of Directors, that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(4), (c)(6), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Amphitheater of the Resolution Trust Corporation Building located at 801-17th Street, NW., Washington, DC

Dated: September 19, 1990.
Federal Deposit Insurance Corporation.
Robert E. Feldman,
Deputy Executive Secretary.
[FR Doc. 90-22640 Filed 9-20-90; 9:33 am]
BILLING CODE 6714-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Federal Deposit Insurance Corporation's Board of Directors will meet in open session at 8:30 a.m. on Thursday, September 27, 1990, to consider the following matter:

Memorandum and resolution re: Final amendments to Part 327 of the Corporation's rules and regulations, entitled "Assessments," which sets the assessment to be paid by Bank Insurance Fund members during calendar year 1991, and the rates to be paid by Savings Association Insurance Fund members in 1991 and later years.

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, NW., Washington, DC.

Requests for further information concerning the meeting may be directed to Hoyle L. Robinson, Executive Secretary of the Corporation at (202) 898-3813.

Dated: September 20, 1990.
Federal Deposit Insurance Corporation.
Hoyle L. Robinson,
Executive Secretary.
FR Doc. 22666 Filed 9-20-90; 2:13 pm]
BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

TIME AND DATE: 10:00 a.m.—September 28, 1990.

PLACE: Hearing Room One—1100 L Street, NW., Washington, DC 20573-0001.

STATUS: Closed.

MATTER(S) TO BE CONSIDERED:

1. Maritime Restrictions in Foreign Trades: (A) Japan—Harbor Management Fund, and (B) Korea—Various Trade Restrictions on U.S. Carriers.

2. Docket No. 90-07—*Credit Practices of Sea-Land Service, Inc. and Nedlloyd Lijnen, B.V.—Discussion of the Record.*
3. Docket No. 90-09—*Matson Navigation Company, Inc., Proposed General Rate Increase of 3.6 Percent Between United States Pacific Coast Ports and Hawaii Ports—Discussion of the Record.*

CONTACT PERSON FOR MORE

INFORMATION: Joseph C. Polking,
Secretary, (202) 523-5725.

Joseph C. Polking,
Secretary.

FR Doc. 22679 Filed 9-20-90; 2:14 pm]

BILLING CODE 6730-01-M

NATIONAL MEDIATION BOARD

TIME AND DATE: 2 p.m., Wednesday,
October 3, 1990

PLACE: Board Hearing Room 8th Floor,
1425 K Street, NW., Washington, DC.

STATUS: Open.

MATTERS TO BE CONSIDERED:

1. Ratification of the Board actions taken by notation voting during the month of September, 1990.
2. Other priority matters which may come before the Board for which notice will be given at the earliest practicable time.

SUPPLEMENTARY INFORMATION: Copies of the monthly report of the Board's notation voting actions will be available from the Executive Director's office following the meeting.

CONTACT PERSON FOR MORE

INFORMATION: Mr. William A. Gill, Jr.,
Executive Director, Tel: (202) 523-5920.

Date of notice: September 11, 1990.

William A. Gill, Jr.,

Executive Director, National Mediation
Board.

[FR Doc. 90-22653 Filed 9-20-90; 10:26 am]

BILLING CODE 7550-01-M

RESOLUTION TRUST CORPORATION**Notice of Agency Meeting**

Pursuant to the provision of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that at 3:11 p.m. on Tuesday, September 18, 1990, the Board of Directors of the Resolution Trust Corporation met in closed session to consider matters relating to (1) resolution of failed thrift institutions; (2) oversight of RTC resolutions by the primary insurer and the primary regulator; and (3) delegation of authority to RTC Regional Directors to prepare powers of attorney and to

Regional Counsels to affix the Corporate seal.

In calling the meeting, the Board determined, on motion of Director C. C. Hope, Jr. (Appointive), seconded by Director Robert L. Clarke (Comptroller of the Currency), and concurred in by Chairman L. William Seidman, Vice Chairman Andrew C. Hove, Jr., and Director T. Timothy Ryan, Jr. (Director of the Office of Thrift Supervision), that Corporation business required its consideration of the matters on less than seven days' notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the Amphitheater of the RTC Building at 801-17th Street, NW., Washington, DC.

Dated: September 19, 1990.

Resolution Trust Corporation.

John M. Buckley, Jr.,

Executive Secretary.

[FR Doc. 90-22698 Filed 9-20-90; 2:15 pm]

BILLING CODE 6714-01-M

RESOLUTION TRUST CORPORATION**Notice of Agency Meeting**

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that the Board of Directors of the Resolution Trust Corporation will meet in open session at 2 p.m. on Tuesday, September 25, 1990 to consider the following matters:

Summary Agenda:

No Cases

Discussion Agenda:

A. Memorandum re: Collateralized Letters of Credit

The meeting will be held in the Board Room on the sixth floor of the FDIC Building located at 550-17th Street, NW., Washington, DC.

Requests for further information concerning the meeting may be directed to Mr. John M. Buckley, Jr., Executive Secretary of the Resolution Trust Corporation, at (202) 418-7282.

Dated: September 19, 1990.

Resolution Trust Corporation.

John M. Buckley, Jr.,

Executive Secretary.

[FR Doc. 90-22699 Filed 9-20-90; 2:15 pm]

BILLING CODE 6714-01-M

SECURITIES AND EXCHANGE COMMISSION**Meeting**

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of September 17, 1990.

A closed meeting will be held on Tuesday, September 18, 1990, at 2:30 p.m.

The Commissioners, Counsel to the Commission, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at a closed meeting.

Commissioner Fleischman, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the closed meeting scheduled for Tuesday, September 18, 1990, at 2:30 p.m., will be:

Institution of injunctive actions.

Institution of administrative proceedings of an enforcement nature.

Settlement of injunctive actions.

Settlement of administrative proceedings of an enforcement future.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Daniel Hirsch at (202) 272-2100.

Dated: September 18, 1990.

Jonathan G. Katz,

Secretary.

[FR Doc. 90-22638 Filed 9-19-90; 5:02 pm]

BILLING CODE 8010-01-M

Corrections

Federal Register

Vol. 55, No. 185

Monday, September 24, 1990

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF EDUCATION

Direct Grant Programs and Fellowship Programs

Correction

In notice document 90-19726 beginning on page 38192 in the issue of Monday, September 17, 1990, make the following correction:

On page 38196, in the table, under *Rehabilitation Services Administration*, in the fourth column, the application deadline date for CFDA No. 84-132 (Centers for Independent Living) now reads "3/28/91" and it should read "3/14/91"

BILLING CODE 1505-01-D

FEDERAL ELECTION COMMISSION

11 CFR Part 110

[Notice 1990-11]

Domestic Subsidiaries of Foreign Nationals

Correction

In proposed rule document 90-19741 beginning on page 34280 in the issue of

Wednesday, August 22, 1990, make the following corrections:

On page 34281, in the first column, in the fifth line, "purposes" should read "purpose".

On the same page, in the same column in the 11th line "jurisdictions" was misspelled.

§ 110.4 [Corrected]

On the same page, in the second column, in § 110.4(a)(4)(iv), in the third line, "not" should be deleted.

BILLING CODE 1505-01-D

Estimate Report

Monday
September 24, 1990

Part II

Office of Personnel Management

Excepted Service; Consolidated Listing of
Schedules A, B, and C Exceptions;
Notice

OFFICE OF PERSONNEL MANAGEMENT

Excepted Service; Consolidated Listing of Schedules A, B, and C Exceptions

AGENCY: Office of Personnel
Management.

ACTION: Notice.

SUMMARY: This gives a consolidated notice of all positions excepted under Schedules A, B, and C as of June 30, 1990, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

SUPPLEMENTARY INFORMATION: Civil Service Rule VI (5 CFR 6.1) requires the Office of Personnel Management (OPM) to publish notice of all exceptions granted under Schedules A, B, and C. title 5, Code of Federal Regulations, § 213.103(c) further requires that a consolidated listing, current as of June 30 of each year, be published annually as a notice in the *Federal Register*. That notice follows. OPM maintains continuing information on the status of all Schedule A, B, and C excepted appointing authorities. Interested parties needing information about specific authorities during the year may obtain information by contacting the Staffing Operations Division, Room 6A12, Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415, or by calling (202) 606-0950.

The following exceptions were current on June 30, 1990:

Schedule A

Section 213.3102 Entire executive civil service.

(a) Positions of Chaplain and Chaplain's Assistant.

(b) (Reserved)

(c) Positions to which appointments are made by the President without confirmation by the Senate.

(d) Attorneys.

(e) Law clerk trainee positions. Appointments under this paragraph shall be confined to graduates of recognized law schools or persons having equivalent experience and shall be for periods not to exceed 14 months pending admission to the bar. No person shall be given more than one appointment under this paragraph. However, an appointment which was initially made for less than 14 months may be extended for not to exceed 14 months in total duration.

(f) Chinese, Japanese, and Hindu interpreters.

(g) Any nontemporary position the duties of which are part-time or

intermittent in which the appointee will receive compensation during his or her service year that aggregates not more than 40 percent of the annual salary rate for the first step of grade GS-3. This limited compensation includes any premium pay such as for overtime, night, Sunday, or holiday work. It does not, however, include any mandatory within-grade salary increases to which the employee becomes entitled subsequent to appointment under this authority. Appointments under this authority may not be for temporary project employment.

(h) Positions in Federal mental institutions when filled by persons who have been patients of such institutions and have been discharged and are certified by an appropriate medical authority thereof as recovered sufficiently to be regularly employed but it is believed desirable and in the interest of the persons and the institution that they be employed at the institution.

(i) Subject to prior approval of OPM, positions requiring temporary, part-time, or intermittent employment in wage board type occupations (i.e., position excluded from Classification Act coverage by section 202(7) of the Act) on construction or repair work, where the activity is carried on in localities where examination coverage for the positions has not been provided and where because of employment conditions there is a shortage of available candidates for the positions. Appointments under this paragraph shall not extend beyond 1 year and the employment thereunder shall not exceed 180 working days a year. Seasonal employments of a recurring nature are not authorized under this paragraph.

(j) Positions filled by (1) appointment of persons previously employed as National Guard Technicians under 32 U.S.C. 709(a) in positions at the same or equivalent grade level, or below, who are applying for or receiving an annuity under the provisions of 5 U.S.C. 8337(h) or 5 U.S.C. 8457 by reason of a disability that disqualifies them from membership in the National Guard or from holding the military grade required as a condition of their National Guard employment; or (2) reassignment, promotion, or demotion within the same agency of former National Guard Technicians originally appointed under this authority.

(k) Positions without compensation provided appointments thereto meet the requirements of applicable laws relating to compensation.

(l) Positions requiring the temporary or intermittent employment of

professional, scientific, or technical experts for consultation purposes.

(m) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) in field establishments outside central office and regional office cities of OPM where examination coverage has not been provided for the positions, as follows:

(1) For temporary, intermittent, or seasonal employment (exclusive of positions covered by paragraph (l) of this section) not to exceed 180 working days a year in the Departments of Agriculture, Commerce, Interior, and Energy, in the Federal Aviation Administration, and in the International Boundary and Water Commission; or

(2) When it is specifically held by OPM that this authority is applicable for employment in localities that are isolated with respect to labor supply and where there is a shortage of available candidates for the positions.

(n) Any local physician, surgeon, or dentist employed under contract or on a part-time or fee basis.

(o) Positions of a scientific, professional, or analytical nature when filled by bona fide members of the faculty of an accredited college or university who have special qualifications for the positions to which appointed. Employment under this provision shall not exceed 130 working days a year.

(p) Positions of a scientific, professional, or analytical nature when filled by bona fide graduate students at accredited colleges or universities provided that the work performed for the agency is to be used by the student as a basis for completing certain academic requirements toward a graduate degree. Appointments under this authority may not exceed 1 year, but may be extended for additional period(s) not to exceed 1 year as long as the conditions for appointment continue to be met. The appointment of any individual under this authority shall terminate upon the individual's completion of requirements for the graduate degree.

(q) Positions at grade GS-7, or equivalent, and below when appointees are to assist scientific, professional, or technical employees. Persons employed under this provision shall be (1) bona fide high school science or mathematics teachers; or (2) bona fide students at high schools or accredited colleges or universities who are pursuing courses related to the field in which employed. The appointment of any individual under this authority shall terminate upon the individual's ceasing to be enrolled in a qualifying educational

program or to be employed as a teacher. No one shall be employed under this provision in routine clerical positions, routine trades and labor positions—unless such employment clearly relates to a scientific, professional, or technical curriculum—or in excess of 1040 working hours a year. Appointments under this authority may be made only to positions for which qualification standards established under 5 CFR part 302 are consistent with the education and experience standards established for comparable positions in the competitive service. Appointments under this authority may not be used to extend the service limits contained in any other appointing authority.

(r)-(s) [Reserved]

(t) Positions when filled by mentally retarded persons in accordance with the guidance in Federal Personnel Manual chapter 306. Upon completion of 2 years of satisfactory service under this authority, the employee may qualify for conversion to competitive status under the provisions of Executive Order 12125 and implementing regulations issued by OPM.

(u) Positions when filled by severely physically handicapped persons who: (1) Under a temporary appointment have demonstrated their ability to perform the duties satisfactorily; or (2) have been certified by counselors of State vocational rehabilitation agencies or the Veterans Administration as likely to succeed in the performance of the duties. Upon completion of 2 years of satisfactory service under this authority, the employee may qualify for conversion to competitive status under the provisions of Executive Order 12125 and implementing regulations issued by OPM.

(v) Between May 13 and September 30 only, temporary Summer Aid positions the duties of which involve work of a routine nature not regularly covered under the General Schedule requiring no specific knowledge or skills, when filled by youths, either (1) appointed under economic needs standards prescribed by OPM; or (2) who are mentally retarded or severely physically handicapped. Youths may not be appointed unless they have reached their 16th birthday. This paragraph shall apply only to positions for which pay is fixed at the highest Federal minimum wage rate established by the Fair Labor Standards Act of 1938, as amended.

(w) Part-time or intermittent positions, the duties of which involve routine work up to and including the GS-4 level of difficulty or equivalent under the Federal Wage System, when filled by bona fide students appointed under the Stay-in-School Program. Students may

be appointed if they need the earnings from this employment to continue in school or if they are mentally retarded or severely physically handicapped, provided that the following conditions are met: (1) Appointees are enrolled in or accepted for enrollment as a resident student in a secondary school (or other appropriate school for mentally retarded students) or an institution of higher learning not above the baccalaureate level, accredited by a recognized accrediting body;

(2) Employment does not exceed 20 hours in any calendar week except that students may work full time during any period in which their school is officially closed and during any school vacation period.

(3) While employed, appointees continue to maintain an acceptable school standing, although they need not attend school during the summer;

(4) Appointees meet the economic criteria prescribed by the Office of Personnel Management, except that this requirement does not apply to mentally retarded or severely physically handicapped students appointed under the authority; and

(5) Salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance.

Appointments under this authority may not extend beyond 1 year. However, such appointments may be made for additional periods of not to exceed 1 year, each, if the conditions for initial appointment are still met. Students may not be appointed under this authority unless they have reached their 16th birthday. No new appointments may be made between May 13 and August 31, inclusive.

(x) Positions for which a local recruiting shortage exists when filled by inmates of Federal, District of Columbia, and State (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) penal and correctional institutions under work-release programs authorized by the Prisoner Rehabilitation Act of 1965, the District of Columbia Work Release Act, or under work-release programs authorized by the States. Initial appointments under this authority may not exceed 1 year. An initial appointment may be extended for one or more periods not to exceed one additional year each upon a finding that the inmate is still in a work-release status and that a local recruiting shortage still exists. No person may serve under this authority longer than 1 year beyond the date of that person's release from custody.

(y) Positions at grade GS-2 and below for summer employment as defined in § 213.3101(d), of assistants to scientific, professional, and technical employees, when filled by finalists in national science contests.

(z) Not to exceed 30 positions of assistants to top-level Federal officials when filled by persons designated by the President as White House Fellows.

(aa) Scientific and professional research associate positions at GS-11 and above when filled on a temporary basis by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and their agencies. Appointments are limited to persons referred by the National Research Council under its post-doctoral research associate program, may not exceed 2 years, and are subject to satisfactory outcome of evaluation of the associate's research during the first year.

(bb) Positions when filled by aliens in the absence of qualified citizens. Appointments under this authority are subject to prior approval of OPM except when the authority is specifically included in a delegated examining agreement with OPM.

(cc) Positions at GS-15 and below when filled by persons identified as Interchange Executives by the President's Commission on Executive Exchange. Appointments made under this authority may not extend beyond 2 years.

(dd)-(ee) [Reserved]

(ff) Not to exceed 25 positions when filled in accordance with an agreement between OPM and the Department of Justice by persons in programs administered by the Attorney General of the United States under Pub. L. 91-452 and related statutes. A person appointed under this authority may continue to be employed under it after he/she ceases to be in a qualifying program only as long as he/she remains in the same agency without a break in service.

(gg)-(hh) [Reserved]

(ii) Positions of Presidential Intern, GS-9 and 11, in the Presidential Management Intern Program. Initial appointments must be made at the GS-9 level. No one may serve under this authority for more than 2 years, unless extended with OPM approval for up to one additional year. Upon completion of 2 years of satisfactory service under this authority, the employee may qualify for conversion to competitive appointment under the provisions of Executive Order 12364, in accordance with requirements published in the Federal Personnel Manual.

(jj) Legal intern positions.

Appointments under this paragraph shall be confined to bona fide students at recognized law schools who are candidates for J.D. or LL.B. degrees. Appointments under this authority may not exceed 1 year, but may be extended for additional period(s) not to exceed 1 year as long as the conditions for appointment continue to be met. The appointment of any individual under this authority shall terminate upon the individual's graduation from law school.

(kk) [Reserved]

(ll) Positions as needed of readers for blind employees, interpreters for deaf employees and personal assistants for handicapped employees, filled on a full time, part-time, or intermittent basis.

Section 213.3103 Executive Office of the President

(a) *Office of Administration.* (1) Not to exceed 75 positions to provide administrative services and support to the White House office.

(b) *Office of Management and Budget.* (1) Not to exceed 10 positions at grades GS-9/15.

(c) *Council on Environmental Quality.* (1) Professional and technical positions in grades GS-9 through -15 on the staff of the Council.

(d)-(f) [Reserved]

(g) *National Security Council.* (1) All positions on the staff of the Council.

(h) *Office of Science and Technology Policy.* (1) Thirty positions of Senior Policy Analyst, GS-15; Policy Analyst, GS-11/14; and Policy Research Assistant, GS-9, for employment of anyone not to exceed 5 years on projects of a high priority nature.

(i) *Office of National Drug Control Policy.* (1) Not to exceed 35 positions, GS-15 and below, of senior policy analysts and other personnel with expertise in drug-related issues and/or technical knowledge to aid in anti-drug abuse efforts. Appointments under this authority may not exceed January 20, 1994.

Section 213.3104 Department of State

(a) *Office of the Secretary.* (1) All positions, GS-15 and below, on the staff of the Family Liaison Office, Office of the Under Secretary for Management.

(2)-(5) [Reserved]

(b) *American Embassy, Paris, France.* (1) Chief, Travel and Visitor Unit. No new appointments may be made under this authority after August 10, 1981.

(c) [Reserved]

(d) *International Boundary Commission, United States and Canada.* (1) Temporary and intermittent field employees such as instrumentmen, foremen, recorders, packers, cooks, and

axemen, for not to exceed 180 working days within any one calendar year.

(e) *Bureau of Oceans and International Environmental and Scientific Affairs.* (1) Two Physical Science Administration Officer positions at GS-16.

(f) [Reserved]

(g) *Office of Refugee and Migration Affairs.* (1) Not to exceed 10 positions at grades GS-5 through 11 on the staff of the office.

(h) *Bureau of Administration.* (1) One Presidential Trip Specialist. No new appointments may be made under this authority after June 11, 1981.

Section 213.3105 Department of the Treasury

(a) *Office of the Secretary.* (1) Not to exceed 20 positions at the equivalent of GS-13 through GS-17 to supplement permanent staff in the study of complex problems relating to international financial, economic, trade, and energy policies and programs of the Government, when filled by individuals with special qualifications for the particular study being undertaken. Employment under this authority may not exceed 4 years.

(2) Not to exceed 20 positions, which will supplement permanent staff involved in the study and analysis of complex problems in the area of domestic economic and financial policy. Employment under this authority may not exceed 4 years.

(b) *U.S. Customs Service.* (1) Positions in foreign countries designated as "interpreter-translator" and "special employees," when filled by appointment of persons who are not citizens of the United States; and positions in foreign countries of messenger and janitor.

(2) [Reserved]

(3) Positions of part-time, intermittent, or temporary Customs Inspectors, and Port Directors in Alaska paid at a rate not above GS-9 and for not more than 130 working days in a service year.

(4) [Reserved]

(5) Positions at GS-9 and below of Customs Enforcement Officer, Customs Inspector, Customs Marine Clerk/Officer, Customs Aid (sampling), Customs Warehouse Officer, Port Director, Interpreter, and Laborer, with duties of a continuing nature that require the part-time or intermittent service of an employee for not more than 700 hours in his/her service year. An individual appointed under this exception may not be employed in the Bureau of Customs under a combination of this and any other exception for more than 700 hours in his/her service year.

(6) Twenty-five positions of Criminal Investigator for special assignments.

(7)-(8) [Reserved]

(9) Not to exceed 25 positions of Customs Patrol Officers in the Papago Indian Agency in the State of Arizona when filled by the appointment of persons of one-fourth or more Indian blood.

(c) *Office of the Comptroller of the Currency.* (1) Not to exceed six positions filled under the Professional Accounting Fellow Program. Appointments under this authority may not exceed 2 years.

(d) *Office of Thrift Supervision.* (1) All positions in the supervision policy and supervision operations functions of OTS. No new appointments may be made under this authority after December 31, 1990.

(e) *Internal Revenue Service.* (1) Twenty positions of investigator for special assignments.

(2) Two positions of Senior Visiting Pension Actuary, GS-1510-14/15. Appointments to these positions must be for periods not to exceed 24 months.

(f) [Reserved]

(g) *Bureau of Alcohol, Tobacco, and Firearms.* (1) One hundred positions of criminal investigator for special assignments.

(h) [Reserved]

(i) *Bureau of Government Financial Operations.* (1) Clerical positions at grades GS-5 and below established in Emergency Disbursing Offices to process emergency payments to victims of catastrophes or natural disasters requiring emergency disbursing services. Employment under this authority may not exceed 1 year.

Section 213.3106 Department of Defense

(a) *Office of the Secretary.* (1) Not to exceed 30 positions at grades GS-6/15 in the Defense Mobilization Systems Planning Activity, Office of the Deputy Assistant Secretary of Defense (Mobilization Planning and Requirements.) No new appointments may be made under this authority after March 31, 1993.

(2)-(5) [Reserved]

(6) One Executive Secretary, US-USSR Standing Consultative Commission and Staff Analyst (SALT), Office of the Assistant Secretary of Defense (International Security Affairs).

(b) *Entire Department (including the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force).* (1) Professional positions in Military Dependent School Systems overseas.

(2) Positions in attache 1 systems overseas, including all professional and scientific positions in the Naval Research Branch Office in London.

(3) Positions of clerk-translator, translator, and interpreter overseas.

(4) Positions of Educational Specialist the incumbents of which will serve as Director of Religious Education on the Staffs of the Chaplains in the military services.

(5) Positions under the program for utilization of alien scientists approved under pertinent directives administered by the Director of Defense Research and Engineering of the Department of Defense when occupied by alien scientists initially employed under the program including those who have acquired United States citizenship during such employment.

(6) Positions in overseas installations of the Department of Defense when filled by dependents of military or civilian employees of the U.S. Government residing in the area. Employment under this authority may not extend longer than 2 months following the transfer from the area or the separation of a dependent's sponsor: *Provided*, that (i) a school employee may be permitted to complete the school year; and (ii) an employee other than a school employee may be permitted to serve up to one additional year when the military department concerned finds that the additional employment is in the interest of management.

(7) Fifteen secretarial and staff support positions at GS-12 or below on the White House Support Group.

(8) Positions in DOD research and development activities occupied by participants in the DOD Science and Engineering Apprenticeship Program for High School Students. Persons employed under this authority shall be bona fide high school students, at least 14 years old, pursuing courses related to the position occupied and limited to 1040 working hours a year. Children of DOD employees may be appointed to these positions, notwithstanding the sons and daughters restriction, if the positions are in field activities at remote locations. Appointments under this authority may be made only to positions for which qualification standards established under 5 CFR part 302 are consistent with the education and experience standards established for comparable positions in the competitive service. Appointments under this authority may not be used to extend the service limits contained in any other appointing authority.

(c) *Defense Contract Audit Agency.* (1) Not to exceed two positions of Accounting Fellow, Auditor, GM-511-14, filled under the Accounting Fellowship Program. Appointments under this authority may not exceed 2 years.

(d) *General.* (1) Positions concerned with advising, administering,

supervising or performing work in the collection, processing, analysis, production, evaluation, interpretation, dissemination, and estimation of intelligence information, including scientific and technical positions in the intelligence function; and positions involved in the planning, programming, and management of intelligence resources when, in the opinion of OPM, it is impracticable to examine. This authority does not apply to positions assigned to cryptologic and communications intelligence activities/functions.

(2) Positions involved in intelligence-related work of the cryptologic intelligence activities of the military departments. This includes all positions of intelligence research specialist, and similar positions in the intelligence classification series; all scientific and technical positions involving the applications of engineering, physical or technical sciences to intelligence work; and professional as well as intelligence technician positions in which a majority of the incumbent's time is spent in advising, administering, supervising, or performing work in the collection, processing, analysis, production, evaluation, interpretation, dissemination, or estimation of intelligence information or in the planning, programming, and management of intelligence resources.

(e) *Uniformed Services University of the Health Sciences.* (1) Positions of Dean, Associate Dean, Assistant Dean, faculty members, postdoctoral fellows, research associates, senior research associates, and visiting scientists.

(2) Positions established to perform work on projects funded from grants.

(f) *National Defense University.* (1) Not to exceed 16 positions of senior policy analyst, GS-15, at the Strategic Concepts Development Center. Initial appointments to these positions may not exceed 6 years, but may be extended thereafter in 1-, 2-, or 3-year increments, indefinitely.

(g) *Defense Communications Agency.* (1) Not to exceed 10 positions at grades GS-10/15 to staff and support the Crisis Management Center at the White House.

(h) *Defense Systems Management College, Fort Belvoir, Va.* (1) The Provost and professors in grades GS-13 through 15.

Section 213.3107 Department of the Army

(a) *General.* (1) Not to exceed 30 positions on the faculty and staff which are classified in the GS-1700 occupational group and the GS-1410 Librarian series, located at the U.S. Army Russian Institute, Garmisch

Germany, and the U.S. Army Foreign Language Training Center Europe, Munich, Germany.

(b) *Aviation Systems Command.* (1) One scientific and professional research position in the U.S. Army Research and Technology Laboratories, the duties of which require specific knowledge of aviation technology in non-allied nations.

(c) *Corps of Engineers.* (1) [Reserved]

(2) Nonsupervisory trades, crafts, and manual labor positions at grades WG-6 and below on survey, construction, short-term maintenance, or floating-plant operations, where because of turnover, lack of housing facilities, mobility of work site, or remoteness of personnel servicing facilities, an adequate labor force can be recruited only by immediate gate hiring on a local basis. This authority can be used only when OPM has determined that it is specifically applicable to a given situation; ordinarily, it will not be used for employment in OPM central office, regional, and branch office cities or in cities where there is a local OPM area office to service the employing establishment.

(d) *U.S. Military Academy, West Point, New York.* (1) Civilian professors, instructors, teachers (except teachers at the Children's School), Cadet Social Activities Coordinator, chapel organist and choir-master, Director of Intercollegiate Athletics, Associate Director of Intercollegiate Athletics, Facility Manager, Building Manager, three Physical Therapists (Athletic Trainers), Associate Director of Admissions for Plans and Programs, Deputy Director of Alumni Affairs; and Librarian when filled by an officer of the Regular Army retired from active service, and the military secretary to the Superintendent when filled by a U.S. Military Academy graduate retired as a regular commissioned officer for disability.

(e) *U.S. Army School of the Americas, Fort Benning, Georgia.* (1) Positions of Translator (Typing), GS-1040-5/9, and Supervisory Translator, GS-1040-11. No new appointments may be made under this authority after December 31, 1985.

(f) *Central Identification Laboratory.* (1) One position of Scientific Director, GM-190-15, and four positions of Forensic Scientist, GM-190-14. Initial appointment to these positions is NTE 3-5 years, with provision for indefinite numbers of renewals in 1-, 2-, or 3-year increments.

(g) *Defense Language Institute.* (1) All positions on the faculty and staff which are classified in the GS-1700 occupational group, the GS-1040

Language Specialist series, and the GS-303 Bilingual Clerk series, that require either a proficiency in a foreign language or a knowledge of foreign language teaching methods.

(h) *Army War College, Carlisle Barracks, Pa.* (1) Five positions of Educational Specialist for employment of not to exceed 1 year: Provided, that such employment may, with the prior approval of OPM, be extended for not to exceed one additional year.

(2) Nine senior policy analyst positions, GS-14/15, at the Strategic Studies Institute, Army War College, with appointments to be made initially for up to 3 years and thereafter extended annually if needed.

(3) Five research oriented faculty positions, GS-14/15, with the U.S. Army War College, at Carlisle Barracks, Pennsylvania, with appointments to be made initially for up to 3 years and thereafter extended annually if needed.

(i) [Reserved]

(j) *U.S. Military Academy Preparatory School, Fort Monmouth, New Jersey.* (1) Positions of Academic Director, Department Head and Instructor.

Section 213.3108 Department of the Navy

(a) *General.* (1) [Reserved]

(2) Positions of Student Pharmacist for temporary, part-time, or intermittent employment in U.S. naval regional medical centers, hospitals, clinics and departments when filled by students who are enrolled in an approved pharmacy program in a participating non-Federal institution, and whose compensation is fixed under 5 U.S.C. 5351-54. Employment under this authority may not exceed one year.

(3) [Reserved]

(4) Not to exceed 50 positions of resident-in-training at U.S. naval regional medical centers, hospitals, and dispensaries which have residency training programs, when filled by residents assigned as affiliates for part of their training from non-Federal hospitals. Assignments shall be on a temporary (full-time or part-time) or intermittent basis, shall not amount to more than 6 months for any person, and shall be applied only to persons whose compensation is fixed under 5 U.S.C. 5351-54.

(5) [Reserved]

(6) Positions of student operating room technician for temporary, part-time or intermittent employment in U.S. naval regional medical centers and hospitals, when filled by students who are enrolled in an approved operating room technician program in a participating non-Federal institution, whose compensation is fixed under 5 U.S.C.

5351-54. Employment under this authority may not exceed 1 year.

(7) Positions of student social worker for temporary, part-time, or intermittent employment in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by bona fide students enrolled in academic institutions: *Provided*, That the work performed in the agency is to be used by the student as a basis for completing certain academic requirements by such educational institution to qualify for a graduate degree in social work. This authority shall be applied only to students whose compensation is fixed under 5 U.S.C. 5351-54.

(8) Positions of student practical nurse for temporary, part-time, or intermittent employment in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by trainees enrolled in a non-Federal institution in an approved program of educational and clinical training that meets the requirements for licensing as a practical nurse. This authority shall be applied only to trainees whose compensation is fixed under 5 U.S.C. 5351-54.

(9) [Reserved]

(10) Positions of medical technology intern in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by students enrolled in approved programs of training in non-Federal institutions. Employment under this authority may be filled on a full-time, part-time, or intermittent basis but may not exceed 1 year. This authority shall be applied only to students whose compensation is fixed under 5 U.S.C. 5351-54.

(11) Positions of medical intern at U.S. naval regional medical centers, hospitals, and dispensaries, when filled by persons who are serving medical internships at participating non-Federal hospitals and whose compensation is fixed under 5 U.S.C. 5351-54. Employment under this authority may not exceed 1 year.

(12) Positions of student speech pathologist at U.S. naval regional medical centers, hospitals, and dispensaries, when filled by persons who are enrolled in participating non-Federal institutions and whose compensation is fixed under 5 U.S.C. 5351-54. Employment under this authority may not exceed 1 year.

(13) Positions of student dental assistant in U.S. naval dental centers, clinics, and departments, when filled by students who are enrolled in an approved dental assistant program in a participating non-Federal institution, and whose compensation is fixed under 5 U.S.C. 5351-54. Employment under this authority may not exceed 1 year.

(14) [Reserved]

(15) Marine positions assigned to a coastal or seagoing vessel operated by a naval activity for research or training purposes.

(16) All positions necessary for the administration and maintenance of the official residence of the Vice President.

(b) *Naval Academy, Naval Postgraduate School, and Naval War College.* (1) Professors, instructors, and teachers; the Director of Academic Planning, Naval Postgraduate School; and the librarian, organist-choirmaster, registrar, the dean of admissions, and social counselors at the Naval Academy.

(c) *Chief of Naval Operations.* (1) One position at grade GS-12 or above that will provide technical, managerial, or administrative support on highly classified functions to the Deputy Chief of Naval Operations (Plans, Policy, and Operations).

(d) *Military Sealift Command.* (1) All positions on vessels operated by the Military Sealift Command.

(e) *Pacific Missile Range Facility, Barking Sands, Hawaii.* (1) All positions. This authority applies only to positions that must be filled pending final decision on contracting of Facility operations. No new appointments may be made under this authority after July 29, 1988.

(f) [Reserved]

(g) *Office of Naval Research.* (1) Not to exceed five positions of Liaison Scientists, GS-13/15, in the Naval Research Branch Office in Japan, when filled by research scientists who have specialized experience in scientific disciplines of current interest to the Department and who have a demonstrated ability to deal with the Japanese scientific community in their disciplines. An appointment under this authority may be made initially for a period not to exceed 2 years. With the prior approval of OPM, total employment under this authority may be for as long as 3 years.

Section 213.3109 Department of the Air Force

(a) *Office of the Secretary.* (1) One Special Assistant in the Office of the Secretary of the Air Force. This position has advisory rather than operating duties except as operating or administrative responsibilities may be exercised in connection with the pilot studies.

(b) *General.* (1) Professional, technical, managerial and administrative positions supporting space activities, when approved by the Secretary of the Air Force.

(2) Sixty-five positions engaged in interdepartmental defense projects involving scientific and technical evaluations.

(c) Not to exceed 20 professional positions, GS-11 through GS-15, in Detachments 6 and 51, SM-ALC, Norton and McClellan Air Force Bases, California, which will provide logistic support management to specialized research and development projects.

(d) *U.S. Air Force Academy, Colorado.*

(1) Positions of Cadet Hostesses, Instructors in Physical Education, Instructors in Music (Choirmasters), one Training Instructor (Parachuting), one Training Instructor (Code of Conduct and Evasion), and two Physical Therapists (Athletic Trainers).

(e) Not to exceed five positions, GS-12 through GS-15, in the Specialized Management Office (WR-ALC/QL) at Robins Air Force Base, Georgia, which will provide logistic support management staff guidance for highly sensitive and high priority programs and projects. Employment under this authority is not to exceed May 30, 1988.

(f) *Air Force Office of Special Investigations.* (1) Not to exceed 250 positions of Criminal Investigators/Intelligence Research Specialists, GS-5 through GS-15.

(g) Not to exceed eight positions, GS-12 through GS-15, in Headquarters Air Force Logistics Command, DCS Materiel Management, Office of Special Activities, Wright Patterson Air Force Base, Ohio, which will provide logistic support management staff guidance to classified research and development projects.

(h) [Reserved]

(i) *Air Force Institute of Technology, Wright-Patterson Air Force Base, Ohio.*

(1) Civilian deans and professors.
(j) *Air Force Logistics Command.* (1) One Supervisory Logistics Management Specialist, GM-346-14, in Detachment 2, 2762 Logistics Management Squadron (Special), Greenville, Texas.

Section 213.3110 Department of Justice

(a) *General.* (1) Deputy U.S. Marshals employed on an hourly basis for intermittent service.

(2) [Reserved]

(3) U.S. Marshal in the Virgin Islands.

(b) *Immigration and Naturalization Service.* (1) Not to exceed 3,500 positions at grades GS-15 and below engaged in planning for and implementing the processing of claims for resident status which may be submitted by aliens already in the United States as authorized by immigration control and reform legislation. New appointments under

this authority may not be made after December 31, 1990.

(2) Not to exceed 25 positions, GS-15 and below, with proficiency in speaking, reading, and writing the Russian language and serving in the Soviet Refugee Processing Program with permanent duty location in Moscow, USSR. Employment under this authority may not exceed 4 years. No new appointments may be made under this authority after September 30, 1991.

(c) *Drug Enforcement Administration.* (1) [Reserved]

(2) One hundred and fifty positions of Intelligence Research Agent and/or Intelligence Operation Specialist in the GS-132 series, grades GS-9 through GS-15.

(3) Not to exceed 200 positions of Criminal Investigator (Special Agent). New appointments may be made under this authority only at grades GS-7/11.

Section 213.3112 Department of the Interior

(a) *General.* (1) Technical, maintenance, and clerical positions at or below grades GS-7, WG-10, or equivalent in the field service of the Department of the Interior, when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a field activity or district, and as being dependent for livelihood primarily upon employment available within the field activity of the Department.

(2) All positions on Government-owned ships or vessels operated by the Department of the Interior.

(3) Temporary or seasonal caretakers at temporarily closed camps or improved areas to maintain grounds, buildings, or other structures and prevent damages or theft of Government property. Such appointments shall not extend beyond 130 working days a year without the prior approval of OPM.

(4) Temporary, intermittent, or seasonal field assistants at GS-7, or its equivalent, and below in such areas as forestry, range management, soils, engineering, fishery and wildlife management, and with surveying parties. Employment under this authority may not exceed 180 working days a year.

(5) Temporary positions established in the field service of the Department for emergency forest and range fire prevention or suppression and blister rust control for not to exceed 180 working days a year: *Provided*, that an employee may work as many as 220 working days a year when employment beyond 180 days is required to cope with extended fire seasons or sudden

emergencies such as fire, flood, storm, or other unforeseen situations involving potential loss of life or property.

(6) Persons employed in field positions, the work of which is financed jointly by the Department of the Interior and cooperating persons or organizations outside the Federal service.

(7) All positions in the Bureau of Indian Affairs and other positions in the Department of the Interior directly and primarily related to providing services to Indians when filled by the appointment of Indians. The Secretary of the Interior is responsible for defining the term "Indian."

(8) Temporary, intermittent, or seasonal positions at GS-7 or below in Alaska, as follows: Positions in non-professional mining activities, such as those of drillers, miners, caterpillar operators, and samplers. Employment under this authority shall not exceed 180 working days a year and shall be appropriate only when the activity is carried on in a remote or isolated area and there is a shortage of available candidates for the positions.

(9) Temporary, part-time, or intermittent employment of mechanics, skilled laborers, equipment operators and tradesmen on construction, repair, or maintenance work not to exceed 180 working days a year in Alaska, when the activity is carried on in a remote or isolated area and there is a shortage of available candidates for the positions.

(10) Seasonal airplane pilots and airplane mechanics in Alaska, not to exceed 180 working days a year.

(11) Temporary staff positions in the Youth Conservation Corps Centers operated by the Department of the Interior. Employment under this authority shall not exceed 11 weeks a year except with prior approval of OPM.

(12) Positions in the Youth Conservation Corps for which pay is fixed at the Federal minimum rate. Employment under this authority may not exceed 10 weeks.

(b) [Reserved]

(c) *Indian Arts and Crafts Board.* (1) The Executive Director.

(d) [Reserved]

(e) *Office of the Assistant Secretary, Territorial and International Affairs.* (1) [Reserved]

(2) Not to exceed four positions of Territorial Management Interns, grades GS-5, GS-7, or GS-9, when filled by territorial residents who are U.S. citizens from the Virgin Islands or Guam; U.S. nationals from American Samoa; or in the case of the Northern Marianas, will become U.S. citizens upon termination of the U.S. trusteeship.

Employment under this authority may not exceed 6 months.

(3) [Reserved]

(4) Special Assistants to the Governor of American Samoa who perform specialized administrative, professional, technical, and scientific duties as members of his or her immediate staff.

(f) *National Park Service.* (1) Park Ranger positions (appropriate specializations) at salaries equivalent to GS-2 through GS-5 to perform practical and technical work supporting the management of Park Service areas and resources in the functional areas of interpretation, resources management, visitor protection, and visitor services; and positions at salaries equivalent to grades GS-6 and GS-7 in which the duties are supervisory or consist of highly specialized technical work in support of National Park Service operations in the functional areas delineated above. The total number of Park Ranger and Park Technician positions at salaries equivalent to GS-6 and GS-7 excepted under this paragraph shall not exceed 200. Employment under this paragraph is limited to persons who meet the qualification standards for each salary level which have been agreed upon by OPM and the Department. These standards include as a minimum the following number of previous seasons' experience at a salary equivalent to the next lower grade or equivalent experience in a Federal, State, or local park:

(i) For IGS-7: Two seasons at IGS-6 level in the National Park Service.

(ii) For IGS-6: Two seasons at IGS-5 level in the National Park Service.

(iii) For IGS-5: One season at IGS-4 level or its equivalent in experience.

(iv) For IGS-4: One season at IGS-3 level or its equivalent in experience.

(v) For IGS-3: One season at IGS-2 level or its equivalent in experience.

Employment under this paragraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the same appointing office in the National Park Service under this paragraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(2) [Reserved]

(3) Seven full-time permanent and 31 temporary, part-time, or intermittent positions in the Redwood National Park, California, which are needed for rehabilitation of the park, as provided by Pub. L. 95-250.

(4) One Special Representative of the Director.

(g) *Bureau of Reclamation.* (1) Appraisers and examiners employed on

a temporary, intermittent, or part-time basis on special valuation or prospective-entrymen-review projects where knowledge of local values or conditions or other specialized qualifications not possessed by regular Bureau employees are required for successful results. Employment under this provision shall not exceed 130 working days a year in any individual case: *Provided*, that such employment may, with prior approval of OPM, be extended for not to exceed an additional 50 working days in any single year.

(h) *Office of the Deputy Assistant Secretary for Territorial Affairs.* (1) Positions of Territorial Management Interns, GS 5, when filled by persons selected by the Government (: of the Trust Territory of the Pacific Islands. No appointment may extend beyond 1 year.

Section 213.3113 Department of Agriculture

(a) *General.* (1) Agents employed in field positions the work of which is financed jointly by the Department and cooperating persons, organizations, or governmental agencies outside the Federal service. Except for positions for which selection is jointly made by the Department and the cooperating organization, this authority is not applicable to positions in the Agricultural Research Service or the Statistical Reporting Service. This authority is not applicable to the following positions in the Agricultural Marketing Service: Agricultural Commodity grader (grain) and (meat), (poultry), and (dairy) agricultural commodity aid (grain), and tobacco inspection positions.

(2)-(4) [Reserved]

(5) Temporary, intermittent, or seasonal employment in the field service of the Department in positions at and below GS-7 and WG-10 in the following types of positions: Field assistants for subprofessional services; caretakers at temporarily closed camps or improved areas; forest workers engaged primarily for fire prevention or suppression activities and other forest workers employed at headquarters other than forest supervisor and regional offices; State performance assistants in the Agricultural Stabilization and Conservation Service; agricultural helpers, helper-leaders, and workers in the L Agricultural Research Service and the Animal and Plant Health Inspection Service; and subject to prior OPM approval granted in the calendar year in which the appointment is to be made, other clerical, trades, crafts, and manual labor positions. Total employment under this subparagraph may not exceed 180

working days in a service year: *Provided*, that an employee may work as many as 220 working days in a service year when employment beyond 180 days is required to cope with extended fire seasons or sudden emergencies such as fire, flood, storm, or other unforeseen situations involving potential loss of life or property. This paragraph does not cover trades, crafts, and manual labor positions covered by paragraphs (i) and (m) of § 213.3102.

(6) [Reserved]

(7) Not to exceed 34 Program Assistants, whose experience acquired in positions excepted from the competitive civil service in the administration of agricultural programs at the State level is needed by the Department for the more efficient administration of its programs. No new appointment may be made under this authority after December 31, 1985.

(b) [Reserved]

(c) *Forest Service.* (1) [Reserved]

(2) Positions in Alaska of Laborers, Boat Operators, Mechanics, Equipment Operators, and Carpenters whose duties require the operation of boats in coastal waters and/or the establishment and maintenance of work camps in remote areas.

(d) *Agricultural Stabilization and Conservation Service.* (1) Not to exceed 34 positions of Agricultural Program Specialist, GS-1145-7/12, engaged in conversion of ASCS' directives and information system to a completely automated format. Appointments to these positions may be made initially at the GS-7/11 levels and may not exceed September 30, 1989.

(2) Members of State Committees: *Provided*, that employment under this authority shall be limited to temporary intermittent (WAE) positions whose principal duties involve administering farm programs within the State consistent with legislative and Departmental requirements and reviewing national procedures and policies for adaptation at State and local levels within established parameters. Individual appointments under this authority are for 1 year and may be extended only by the Secretary of Agriculture or his designee. Members of State Committees serve at the pleasure of the Secretary.

(e) *Farmers Home Administration.* (1) [Reserved]

(2) County committeemen to consider, recommend, and advise with respect to the Farmers Home Administration program.

(3) Temporary positions whose principal duties involve the making and servicing of natural disaster emergency

loans pursuant to current statutes authorizing natural disaster emergency loans. Appointments under this provision shall not exceed 1 year unless extended for one additional period not to exceed 1 year, but may, with prior approval of OPM, be further extended for additional periods not to exceed 1 year each.

(4)-(5) [Reserved]

(6) Professional and clerical positions in the Trust Territory of the Pacific Islands when occupied by indigenous residents of the Territory to provide financial assistance pursuant to current authorizing statutes.

(f) *Agricultural Marketing Service.* (1) Positions of: Agricultural Commodity Graders, Agricultural Commodity Technicians, and Agricultural Commodity Aids at grades GS-9 and below in the tobacco, dairy, and poultry commodities; Meat Acceptance Specialists at grades GS-11 and below; Clerks, Clerk-Typists, and Computer Clerks at grades GS-4 and below; and Laborers under the Wage System. Employment under this authority is limited to either 1280 hours or 180 days in a service year.

(2) Positions of Agricultural Commodity Graders, Agricultural Commodity Technicians, and Agricultural Commodity Aids at grades GS-11 and below in the cotton, raisin, and processed fruit and vegetable commodities. Employment under this authority may not exceed 180 days in a service year. In unforeseen situations such as bad weather or crop conditions, unanticipated plant demands, or increased imports, employees may work up to 240 days in a service year. Cotton Agricultural Commodity Graders, GS-5, may be employed as trainees for the first appointment for an initial period of 6 months for training without regard to the service year limitation.

(3) Milk Market Administrators.

(4) All positions on the staffs of Milk Market Administrators.

(g)-(i) [Reserved]

(j) *Food and Nutrition Service.* (1) [Reserved]

(2) Three hundred fifty positions of Food Assistance Program Specialist, GS-5/7, under the Child Nutrition Summer Feeding Program, for temporary employment not to begin before March 1 and not to exceed September 30 of each year, on a full-time, part-time, or intermittent basis.

(k) [Reserved]

(l) *Food Safety and Inspection Service.* (1)-(2) [Reserved]

(3) Positions of meat and poultry inspectors (veterinarians at GS-11 and below and nonveterinarians at appropriate grades below GS-11) for

employment on a temporary, intermittent, or seasonal basis, not to exceed 1,280 hours a year.

(m) *Federal Grain Inspection Service.*

(1) One hundred and fifty positions of Agricultural Commodity Aid (Grain), GS-2/4; 100 positions of Agricultural Commodity Technician (Grain), GS-4/7; and 60 positions of Agricultural Commodity Grader (Grain), GS-5/9, for temporary employment on a part-time, intermittent, or seasonal basis not to exceed 1,280 hours in a service year.

Section 213.3114 Department of Commerce

(a) *General.* (1)-(2) [Reserved]

(3) Not to exceed 50 scientific and technical positions whose duties are performed primarily in the Antarctic. Incumbents of these positions may be stationed in the continental United States for periods of orientation, training, analysis of data, and report writing.

(b) *Office of the Secretary.* (1) One position of Administrative Assistant, GS-301-8, in the Office of Economic Affairs. New appointments may not be made after March 30, 1979.

(c) [Reserved]

(d) *Bureau of the Census.* (1) Managers, supervisors, technicians, clerks, interviewers, and enumerators in the field service, for (1) temporary, part-time or intermittent employment in connection with major economic and demographic censuses or with surveys of a nonrecurring or noncyclical nature; and (2) indefinite employment for the duration of each decennial census for key employees located at the Master District Offices (MDO) and Processing Offices (PO): *Provided*, that temporary, part-time employment of the nature described in (1) above will be for periods not to exceed 1 year; and that such appointments may be extended for additional periods of not to exceed 1 year each; but that prior Office approval is required for extension of total service beyond 2 years.

(2) Current Program Interviewers employed on an intermittent or part-time basis in the field service.

(3) Not to exceed 20 professional and scientific positions at grades GS-9 through GS-12 filled by participants in the ASA research trainee program. Employment of any individual under this authority may not exceed 2 years.

(e)-(h) [Reserved]

(i) *Office of the Under Secretary for International Trade.* (1) Thirty positions at GS-12 and above in specialized fields relating to international trade or commerce in units under the jurisdiction of the Under Secretary for International Trade. Incumbents will be assigned to

advisory rather than to operating duties, except as operating and administrative responsibility may be required for the conduct of pilot studies or special projects. Employment under this authority will not exceed 2 years for an individual appointee.

(2) Not to exceed 40 positions of Managers and Deputy Managers of International Trade Fairs and Exhibit Programs in foreign countries when the duties require a considerable portion of the employee's time to be spent in foreign countries.

(3) Not to exceed 30 positions in grades GS-12 through GS-15, to be filled by persons qualified as industrial or marketing specialists; who possess specialized knowledge and experience in industrial production, industrial operations and related problems, market structure and trends, retail and wholesale trade practices, distribution channels and costs, or business financing and credit practices applicable to one or more of the current segments of U.S. industry served by the Under Secretary for International Trade, and the subordinate components of his organization which are involved in Domestic Business matters. Appointments under this authority may be made for a period of not to exceed 2 years and may, with prior approval of OPM, be extended for an additional period of 2 years.

(j) *National Oceanic and Atmospheric Administration.* (1) Subject to prior approval of OPM, which shall be contingent upon a showing of inadequate housing facilities, meteorological aid positions at the following stations in Alaska: Barrow, Bethel, Kotzebue, McGrath, Northway, and St. Paul Island.

(2) [Reserved]

(3) All civilian positions on vessels operated by the National Ocean Service.

(4) Temporary positions required in connection with the surveying operations of the field service of the National Ocean Service. Appointment to such positions shall not exceed 8 months in any one calendar year.

(5) Field positions, GS-9 and below, in the National Marine Fisheries Service conducting fish and processed fish products inspection, funded by the private sector. New appointments under this authority may not be made after July 1, 1991.

(k) [Reserved]

(l) *National Telecommunication and Information Administration.* (1) Seventeen professional positions in grades GS-13 through GS-15.

Section 213.3115 Department of Labor

(a) *Office of the Secretary.* (1) Chairman and five members, Employees' Compensation Appeals Board.

(2) Chairman and eight members, Benefits Review Board.

(b) *Bureau of Labor Statistics.* (1) Not to exceed 500 positions involving part-time and intermittent employment for field survey and enumeration work in the Bureau of Labor Statistics. This authority is applicable to positions where the salary is equivalent to GS-6 and below. Employment under this authority may not exceed 1,600 work hours in a service year. No new appointment may be made under this authority after December 31, 1984.

(c) [Reserved]

(d) *Employment and Training Administration.* (1) Not to exceed 10 positions of Supervisory Manpower Development Specialist and Manpower Development Specialist, GS-7/15, in the Division of Indian and Native American Programs, when filled by the appointment of persons of one-fourth or more Indian blood. These positions require direct contact with Indian tribes and communities for the development and administration of comprehensive employment and training programs.

Section 213.3116 Department of Health and Human Services

(a) [Reserved]

(b) *Public Health Service.* (1) Not to exceed five positions a year of Medical Technologist Resident, GS-644-7, in the Blood Bank Department, Clinical Center, of the National Institutes of Health. Appointments under this authority will not exceed 1 year.

(2) Positions at Government sanatoria when filled by patients during treatment or convalescence.

(3) All positions in the Public Health Service Hospital, Carville, La.

(4) Positions concerned with problems in preventive medicine financed or participated in by the Department of Health and Human Services and a cooperating State, county, municipality, incorporated organization, or an individual in which at least one-half of the expense is contributed by the cooperating agency either in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

(5) Medical and dental interns, externs, and residents; and student nurses.

(6) Positions of scientific, professional, or technical nature when filled by bona fide students enrolled in academic institutions: *Provided*, that the work

performed in the agency is to be used by the student as a basis for completing certain academic requirements required by an educational institution to qualify for a scientific, professional, or technical field. This authority shall be applied only to positions with compensation fixed under 5 U.S.C. 5351-5356.

(7) Not to exceed 50 positions associated with health screening programs for refugees.

(8) All positions in the Public Health Service and other positions in the Department of Health and Human Services directly and primarily related to providing services to Indians when filled by the appointment of Indians. The Secretary of Health and Human Services is responsible for defining the term "Indian."

(9) Twelve positions of Therapeutic Radiologic Technician Trainee in the Radiation Oncology Branch, National Cancer Institute. Employment under this authority shall not exceed 1 year for any individual. This authority shall be applied only to positions with compensation fixed under 5 U.S.C. 5351-5356.

(10) Health care positions of the National Health Service Corps for employment of any one individual not to exceed 4 years of service in health manpower shortage areas.

(11) Pharmacy Resident positions at GS-7 in the National Institutes of Health's Clinical Center, Pharmacy Department. Employment in these positions is confined to graduates of approved schools of pharmacy and is limited to a period not to exceed 12 months pending licensure.

(12) Hospital Administration Resident positions at GS-9 in the National Institutes of Health's Clinical Center, Bethesda, Maryland. Employment in these positions is confined to graduates of approved hospital or health care administration programs and is limited to a period not to exceed 1 year.

(13) Not to exceed 30 positions of Cancer Control Science Associate in the Division of Cancer Prevention and Control, National Cancer Institute, National Institutes of Health, for assignments at a level of difficulty and responsibility at or equivalent to GS-11/13. No one may be employed under this authority for more than 3 years, and no more than 10 appointments will be made under the authority in any 1 year.

(14) Not to exceed 30 positions at grades GS-11/13 associated with the postdoctoral training program for interdisciplinary toxicologists in the National Institute of Environmental Health Sciences, National Institutes of Health, Research Triangle Park, North Carolina.

(c) [Reserved]

(d) *Social Security Administration.* (1) Six positions of social insurance representative in the district offices of the Social Security Administration in the State of Arizona when filled by the appointment of persons of one-fourth or more Indian blood.

(2) Seven positions of social insurance representative in the district offices of the Social Security Administration in the State of New Mexico when filled by the appointment of persons of one-fourth or more Indian blood.

(3) Two positions of social insurance representative in the district offices of the Social Security Administration in the State of Alaska when filled by the appointment of persons of one-fourth or more Alaskan Native blood (Eskimos, Indians, or Aleuts).

(e) [Reserved]

(f) *The President's Council on Physical Fitness.* (1) Four staff assistants, The President's Council on Physical Fitness.

(g)-(i) [Reserved].

(j) *Health Care Financing Administration.* (1) [Reserved]

(2) Not to exceed 10 professional positions, GS-9 through GS-15, to be filled under the Health Care Financing Administration Professional Exchange Program. Appointments under this authority will not exceed 1 year.

(k) *Office of the Secretary.* (1) [Reserved].

(2) Not to exceed 10 positions at grades GS-9/14 in the Office of the Assistant Secretary for Planning and Evaluation filled under the Policy Research Associate Program. New appointments to these positions may be made only at grades GS-9/12. Employment of any individual under this authority may not exceed 2 years.

Section 213.3117 Department of Education

(a) Positions concerned with problems in education financed and participated in by the Department of Education and a cooperating State educational agency, or university or college, in which there is joint responsibility for selection and supervision of employees, and at least one-half of the expense is contributed by the cooperating agency in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

Section 213.3124 Board of Governors, Federal Reserve System

(a) All positions.

Section 213.3126 Defense Nuclear Facilities Safety Board

(a) All positions on the staff. No new appointments may be made under this authority after December 26, 1991.

Section 213.3127 Department of Veterans Affairs

(a) *Construction Division.* (1) Temporary construction workers paid from "purchase and hire" funds and appointed for not to exceed the duration of a construction project.

(b) Not to exceed 400 positions of rehabilitation counselors, GS-3 through GS-11, in Alcoholism Treatment Units and Drug Dependence Treatment Centers, when filled by former patients.

(c) *Board of Veterans' Appeals.* (1) Positions, GS-15, when filled by a member of the Board. Except as provided by section 201(d) of Pub. L. 100-687, appointments under this authority shall be for a term of 9 years, and may be renewed

(2) Positions, GS-15, when filled by a non-member of the Board who is awaiting Presidential approval for appointment as a Board member.

(d) Not to exceed 600 positions at grades GS-3 through GS-11, involved in the Department's Vietnam Era Veterans Readjustment Counseling Service.

Section 213.3128 U.S. Information Agency

(a) *Office of Congressional and Public Liaison.* (1) Two positions of Liaison Officer (Congressional), GS-14.

(b) Five positions of Supervisory International Exchange Officer (Reception Center Director), GS-13 and GS-14, located in USIA's field offices of New Orleans, New York, Miami, San Francisco and Honolulu. Initial appointments will not exceed December 31 of the calendar year in which appointment is made with extensions permitted up to a maximum period of 4 years.

Section 213.3129 Thrift Oversight Board

(a) All positions. No new appointments may be made under this authority after December 31, 1994.

Section 213.3130 Securities and Exchange Commission

(a)-(b) [Reserved]

(c) Positions of accountant and auditor, GS-13 through 15, when filled by persons selected under the SEC Accounting Fellow Program, as follows: (1) Seven positions, for employment of any one individual not to exceed 2 years; and

(2) Two additional identical positions, for employment of any one individual

not to exceed 90 days, which may be used to provide a period of transition and orientation between Fellowship appointments. These additional identical positions must be filled by persons who either have completed a 2-year Fellowship or have been selected as replacement Fellows for a 2-year term. Appointments of outgoing Fellows under this authority must be made without a break in service of 1 workday following completion of their 2-year terms; incoming Fellows appointed under this provision must be appointed to 2-year Fellowships without a break in service of 1 workday following their 90-day appointments.

(d) Positions of Economist, GS-13 through 15, when filled by persons selected under the SEC Economic Fellow Program. No more than four positions may be filled under this authority at any one time. An employee may not serve under this authority longer than 2 years unless selected under provisions set forth in the Intergovernmental Personnel Act (IPA), 5 U.S.C. 3372(b)(2).

(e) Not to exceed 10 positions of accountant, GS-12/13, when filled by persons selected as SEC Accounting Fellows for the Full Disclosure Program. Employment under this authority may not exceed 2 years.

Section 213.3131 Department of Energy

(a) [Reserved].

(b) *Bonneville Power Administration.* (1) Five Area Managers.

Section 213.3132 Small Business Administration

(a) When the President under 42 U.S.C. 1855-1855g, the Secretary of Agriculture under 7 U.S.C. 1961, or the Small Business Administration under 15 U.S.C. 636(b)(1) declares an area to be a disaster area, positions filled by temporary appointment of employees to make and administer disaster loans in the area under the Small Business Act, as amended. Service under this authority may not exceed 4 years, and no more than 2 years may be spent on a single disaster. Exception to this time limit may only be made with prior Office approval. Appointments under this authority may not be used to extend the 2-year service limit contained in paragraph (b) below. No one may be appointed under this authority to positions engaged in long-term maintenance of loan portfolios.

(b) When the President under 42 U.S.C. 1855-1855g, or the Secretary of Agriculture under 7 U.S.C. 1961 or the Small Business Administration under 15 U.S.C. 636(b)(1), declares an area to be a

disaster area, positions filled by temporary appointment of employees to make and administer disaster loans in that area under the Small Business Act, as amended. No one may serve under this authority for more than an aggregate of 2 years without a break in service of at least 6 months. Persons who have had more than 2 years of service under paragraph (a) of this section must have a break in service of at least 8 months following such service before appointment under this authority. No one may be appointed under this authority to positions engaged in long-term maintenance of loan portfolios.

(c) Positions of Community Economic-Industrial Planner, GS-7 through 12, when filled by local residents who represent the interest of the groups to be served by the Minority Entrepreneurship Teams of which they are members. No new appointments may be made under this authority after May 1, 1977.

Section 213.3133 Federal Deposit Insurance Corporation

(a) All Liquidation Graded, temporary field positions concerned with the work of liquidating the assets of closed banks or savings and loan institutions, of liquidating loans to banks or savings and loan institutions, or of paying the depositors of closed insured banks or savings and loan institutions. New appointments may be made under this authority only during the 5-year period following a bank or savings and loan institution closing and/or establishment of a consolidated liquidation site.

(b) Not to exceed 300 positions in field offices of the Resolution Trust Corporation. No new appointments may be made under this authority after September 30, 1992.

Section 213.3136 U.S. Soldiers' and Airmen's Home

(a) [Reserved].

(b) Positions when filled by member-residents of the Home.

Section 213.3137 General Services Administration

(a) [Reserved].

(b) Not to exceed 25 positions at grades GS-14/15, in order to bring into the agency current industry expertise in various program areas. Appointments under this authority may not exceed 2 years.

Section 213.3138 Federal Communications Commission

(a) Fifteen positions of Telecommunications Policy Analyst, GS-301-13/14/15. Initial appointment to these positions will be for a period of

not to exceed 2 years with provision for two 1-year extensions.

Section 213.3141 National Labor Relations Board

(a) Election Examiners for temporary, part-time or intermittent employment in connection with elections under the Labor-Management Relations Act.

Section 213.3142 Export-Import Bank of the United States

(a) One Special Assistant to the Board of Directors, grade GS-14 and above.

Section 213.3146 Selective Service System

(a) State Directors.
(b)-(c) [Reserved]
(d) Executive Secretary, National Selective Service Appeal Board.

Section 213.3148 National Aeronautics and Space Administration

(a) One hundred and fifty alien scientists having special qualifications in the fields of aeronautical and space research where such employment is deemed by the Administrator of the National Aeronautics and Space Administration to be necessary in the public interest.

(b) Not to exceed 40 positions of fully qualified pilot and mission specialists astronauts.

(c)-(e) [Reserved]

(f) Positions of Program Coordinator/Counselor at grades GS-7/9/11 for part-time and summer employment in connection with the High School Students Summer Research Apprenticeship Program.

Section 213.3152 U.S. Government Printing Office

(a) Not to exceed three positions of Research Associate at grades GS-15 and below, involved in the study and analysis of complex problems relating to the reduction of the Government's printing costs and to provision of more efficient service to customer agencies and the public. Appointments under this authority may not exceed 1 year, but may be extended for not to exceed one additional year.

(b) Positions in the printing trades when filled by students majoring in printing technology employed under a cooperative education agreement with the University of the District of Columbia.

Section 213.3156 Commission on Civil Rights

(a) Twenty-five positions at grade GS-11 and above of employees who collect, study, and appraise civil rights information to carry out the national

clearinghouse responsibilities of the Commission under Pub. L. 88-352, as amended. No new appointments may be made under this authority after March 31, 1976.

Section 213.3174 Smithsonian Institution

(a) Not to exceed 25 positions at grades GS-11 and below which support planning and production of the Annual American Folklife Festival. Employment under this authority may not exceed 6 months in connection with any one Festival.

(b) All positions located in Panama which are part of or which support the Smithsonian Tropical Research Institute.

Section 213.3175 Woodrow Wilson International Center for Scholars

(a) One East Asian Studies Program Administrator, one International Security Studies Program Administrator, one Latin American Program Administrator, one Russian Studies Program Administrator, one West European Program Administrator, and one Social Science Program Administrator.

Section 213.3182 National Foundation on the Arts and the Humanities

(a) *National Endowment for the Arts.*

(1) Until September 30, 1990, one position of Assistant Director, Artists-in-Education Programs, Office for Partnership, GS-301-14.

(2) Until September 30, 1990, one position of Assistant Director for State Programs.

(3) Until September 30, 1990, one position of Director of Literature Programs.

(4) Until September 30, 1990, one position of Assistant Director of Theatre Programs.

(5) Until September 30, 1990, one position of Director of Folk Arts Programs.

(6) Until September 30, 1990, one position of Director, Opera/Musical Theatre Programs.

(7) Until September 30, 1990, one position of Assistant Director of Opera/Musical Theatre Programs.

(8) Until September 30, 1990, one position of Assistant Director of Literature Programs.

(9) Until September 30, 1990, one position of Director of Locals Test Programs, Office of the Deputy to the Chairman for Public Partnership.

(10) Until September 30, 1990, one position of Deputy Chairman for Public Partnership.

(11) Until September 30, 1990, four Project Evaluators.

(12) Until September 30, 1990, one position of Director of Museum Programs.

(13) Until September 30, 1990, one position of Assistant Director of Folk Arts, Office of the Deputy Chairman for Programs.

(14) Until September 30, 1990, one position of Assistant Director of Music Programs.

(15) Until September 30, 1990, one position of Director of Expansion Arts Programs.

(16) Until September 30, 1990, one position of Director of Media Arts Programs.

(17) Until September 30, 1990, one position of Director, Challenge and Advancement Grant Program.

(18) Until September 30, 1990, one position of Assistant Director, Challenge and Advancement Grant Programs.

(19) [Reserved]

(20) Until September 30, 1990, one position of Director of Inter Arts Program.

(21) Until September 30, 1990, one position of Assistant Director of Expansion of Arts Programs.

(22) Until September 30, 1990, one position of Assistant Director of Media Arts Programs.

(23) Until September 30, 1990, one position of Assistant Director of Design Arts Program.

(24) Until September 30, 1990, one position of Assistant Director of Dance Programs.

(25) Until September 30, 1990, one position of Assistant Director of Visual Arts Programs.

(26) Until September 30, 1990, one position of Assistant Director of Museum Programs.

(27)-(29) [Reserved]

(30) Until September 30, 1990, one position of Director of Education Programs.

(31) Until September 30, 1990, one position of Director of Music Programs.

(32) Until September 30, 1990, one position of Director of Theater Programs.

(33) Until September 30, 1990, one position of Director of Dance Programs.

(34) Until September 30, 1990, one position of Director of Visual Arts Programs.

(35) Until September 30, 1990, one position of Director of Design Arts Program.

(36) [Reserved]

(37) Until September 30, 1990, one Director for State Programs.

(38) Until September 30, 1990, one Director for Artists-in-Education Programs.

Section 213.3184 Department of Housing and Urban Development

(a) One position of Special Advisor to the Regional Administrator, GS-301-14, in San Francisco. Employment under this authority may not exceed 2 years.

Section 213.3187 Federal Housing Finance Board

(a) All positions. No new appointments may be made under this authority after December 31, 1992.

Section 213.3191 Office of Personnel Management

(a) Not to exceed 500 positions in Federal Job Information Centers, to be filled under the Community Outreach Information Network program. Appointments under this authority may not exceed 90 days, and no one may receive more than one appointment under the authority.

(b)-(c) [Reserved].

(d) Part-time and intermittent positions of test examiners at grades GS-8 and below.

Section 213.3194 Department of Transportation

(a) *U.S. Coast Guard.* (1) Not to exceed 25 positions of Marine Traffic Controller (Pilot), at grade GS-11 and below for temporary, intermittent or seasonal employment in the State of Louisiana. Temporary appointments may not exceed 1 year, and temporary appointees may be reappointed under this authority only after a break in service of at least 6 months. Intermittent or seasonal employment may not exceed 180 working days in a service year, except that this limitation for an individual employee may be extended to 220 days when necessitated by emergencies caused by unusual flooding conditions or high river stages.

(2) Lamplighters.

(3) Professors, Associate Professors, Assistant Professors, Instructors, one Principal Librarian, one Cadet Hostess, and one Psychologist (Counseling) at the Coast Guard Academy, New London, Conn.

(b) [Reserved]

(c) *Federal Highway Administration.* (1) Temporary, intermittent, or seasonal employment in the field service of the Federal Highway Administration at grades not higher than GS-5 for subprofessional engineering aide work on the highway surveys and construction projects, for not to exceed 180 working days a year, when in the opinion of OPM, appointment through competitive examination is impracticable.

(d) [Reserved]

(e) *Maritime Administration.* (1)-(2) [Reserved]

(3) All positions on Government-owned vessels or those bareboats chartered to the Government and operated by or for the Maritime Administration.

(4)-(5) [Reserved]

(6) U.S. Merchant Marine Academy, positions of: Professors, Instructors, and Teachers; including heads of Departments of Physical Education and Athletics, Humanities, Mathematics and Science, Maritime Law and Economics, Nautical Science, and Engineering; Coordinator of Shipboard Training; the Commandant of Midshipmen, the Assistant Commandant of Midshipmen; Director of Music; three Battalion Officers; three Regimental Affairs Officers; and one Training Administrator.

(7) U.S. Merchant Marine Academy positions of: Associate Dean; Registrar; Director of Admissions; Assistant Director of Admissions; Director, Office of External Affairs; Placement Officer; Administrative Librarian; Shipboard Training Assistant; three Academy Training Representatives; and one Education Program Assistant.

Section 213.3195 Federal Emergency Management Agency

(a) Field positions at grades GS-15 and below, or equivalent, which are engaged in work directly related to unique response efforts to environmental emergencies not covered by the Disaster Relief Act of 1974, Public Law 93-288, as amended. Employment under this authority may not exceed 36 months on any single emergency. Persons may not be employed under this authority for long-term duties or for work not directly necessitated by the emergency response effort.

(b) Not to exceed 30 positions at grades GS-15 and below in the Offices of Executive Administration, General Counsel, Inspector General, Comptroller, Public Affairs, Personnel, Acquisition Management, and the State and Local Program and Support Directorate which are engaged in work directly related to unique response efforts to environmental emergencies not covered by the Disaster Relief Act of 1974, Public Law 93-288, as amended. Employment under this authority may not exceed 36 months on any single emergency, or for long-term duties or work not directly necessitated by the emergency response effort. No one may be reappointed under this authority for service in connection with a different emergency unless at least 6 months have elapsed since the individual's latest appointment under this authority.

(c) Not to exceed 350 professional and technical positions at grades GS-5 through GS-15, or equivalent, in Mobile Emergency Response Support Detachments (MERS).

Section 213.3199 Temporary organizations

(a) Positions at GS-15 and below on the staffs of temporary boards and commissions which are established by law or Executive order for specified periods not to exceed 4 years to perform specific projects. A temporary board or commission originally established for less than 4 years and subsequently extended may continue to fill its staff positions under this authority as long as its total life, including extension(s) does not exceed 4 years. No board or commission may use this authority for more than 4 years to make appointments and position changes unless prior approval of the Office is obtained.

(b) Positions at GS-15 and below on the staffs of temporary organizations established within continuing agencies when all of the following conditions are met: (1) The temporary organization is established by an authority outside the agency, usually by law or Executive order; (2) the temporary organization is established for an initial period of 4 years or less and, if subsequently extended, its total life including extension(s) will not exceed 4 years; (3) the work to be performed by the temporary organization is outside the agency's continuing responsibilities; and (4) the positions filled under this authority are those for which other staffing resources or authorities are not available within the agency. An agency may use this authority to fill positions in organizations which do not meet all of the above conditions or to make appointments and position changes in a single organization during a period longer than 4 years only with prior approval of the Office.

Schedule B

Section 213.3202 Entire executive civil service

The provisions established under paragraphs (a) through (i) are authorized under provisions of E.O. 12015 and support career-related work-study programs. OPM's requirements relating to appointment under paragraphs (a) through (i) will be published in the Federal Personnel Manual. Further, appointments under paragraphs (a) through (i) are subject to all the requirements and conditions governing career or career-conditional appointments, including investigation by

OPM to establish an appointee's qualifications and suitability. Appointments of participants may be converted to career or career-conditional at any time within a 120-day period after satisfactory completion of a career-related work-study program.

(a) Student positions established in connection with a bachelor's degree cooperative education program which provide for a formally arranged schedule of attendance at an institution of higher learning combined with at least 26 weeks, or 1040 hours, of study-related work in a Federal agency. The periods of work and study together must satisfy requirements for a bachelor's degree and must provide the experience necessary for a career or career-conditional appointment to administrative, professional or technical positions in the Federal career service upon the student's graduation.

(b) Student positions established in support of cooperative education programs for graduate students which provide for scheduled periods of attendance at a graduate school combined with at least 16 weeks or 640 hours of study-related work in a Federal agency. The periods of work and study must satisfy requirements for the graduate degree and provide experience necessary for career or career-conditional appointment in the Federal career service upon the student's graduation.

(c) Student positions established in connection with associate degree cooperative education programs which provide for formally arranged schedules of attendance at a recognized 2-year educational institution combined with at least 26 weeks or 1040 hours of study-related work in a Federal agency. The periods of work and study together must satisfy the requirements for graduation and must provide the experience necessary for career or career-conditional appointment in selected occupations in the Federal career service upon the student's graduation.

(d) Student positions established in connection with the Harry S. Truman Foundation Scholarship Program under the provisions of Public Law 93-642 to permit scheduled periods of attendance at institutions of higher education combined with at least 26 weeks or 1040 hours of study-related work in a Federal agency. The periods of work and study must satisfy requirements of programs established by agreement between the Harry S. Truman Scholarship Foundation and the employing agency and provide the experience necessary for career or career-conditional appointment in the Federal career service upon the student's graduation.

(e) Student positions established in support of the Cooperative Education (Vocational Education) Programs for high school students which provide for scheduled periods of classroom study combined with at least 16 weeks or 640 hours of study-related work in a Federal agency. The periods of study and work must satisfy requirements for a high school diploma and provide experience necessary for career or career-conditional appointment into office and administrative support, technician, assistant, helper, and preapprentice occupations in the Federal career service upon the student's graduation.

(f) Positions under the Federal Junior Fellowship Program, a career-related work-study program covered under the provisions of Executive Order 12015.

(g) Student positions established in support of the Cooperative Education Program in which the student is enrolled in an undergraduate certificate or diploma program in an accredited college, technical, trade, vocational, or business school which provides for scheduled periods of classroom study combined with at least 16 weeks or 640 hours of study-related work in a Federal agency. The periods of study and work must satisfy requirements for an undergraduate certificate or diploma and provide experience necessary for career or career-conditional appointment into office and administrative support, technician, assistant, helper, and preapprentice occupations in the Federal career service upon the student's graduation.

(h)-(i) [Reserved]

(j) Special executive development positions established in connection with Senior Executive Service candidate development programs which have been approved by OPM. A Federal agency may make new appointments under this authority for any period of employment not exceeding three years for one individual.

(k) Positions at grades GS-15 and below when filled by individuals who (1) are placed at a severe disadvantage in obtaining employment because of a psychiatric disability evidenced by hospitalization or outpatient treatment and have had a significant period of substantially disrupted employment because of the disability; and (2) are certified to a specific position by a State vocational rehabilitation counselor or a Veterans Administration counseling psychologist (or psychiatrist) who indicates that they meet the severe disadvantage criteria stated above, that they are capable of functioning in the positions to which they will be appointed, and that any residual disability is not job related. Employment

of any individual under this authority may not exceed 2 years following each significant period of mental illness.

(l) [Reserved]

(m) Positions when filled under any of the following conditions:

(1) Appointment at grades GS-15 and above, or equivalent, in the same or a different agency without a break in service from a career appointment in the Senior Executive Service (SES) of an individual who:

(i) Has completed the SES probationary period;

(ii) Has been removed from the SES because of less than fully successful executive performance or a reduction in force; and

(iii) Is entitled to be placed in another civil service position under 5 U.S.C. 3594(b).

(2) Appointment in a different agency without a break in service of an individual originally appointed under paragraph (m)(1).

(3) Reassignment, promotion, or demotion within the same agency of an individual appointed under this authority.

Section 213.3203 Executive Office of the President

(a) [Reserved]

(b) *Office of the Special Representative for Trade Negotiations.* (1) Seventeen positions of economist at grades GS-12 through GS-15.

Section 213.3204 Department of State

(a)-(c) [Reserved]

(d) Fourteen positions on the household staff of the President's Guest House (Blair and Blair-Lee Houses).

(e) Four Physical Science Administration Officer positions at GS-11 and GS-12 under the Bureau of Oceans and International Environmental and Scientific Affairs' Science, Engineering and Diplomacy Fellowship Program. Employment under this authority is not to exceed 2½ years.

(f) Scientific, professional, and technical positions at grades GS-12 to GS-15 when filled by persons having special qualifications in foreign policy matters. Total employment under this authority may not exceed 4 years.

Section 213.3205 Department of the Treasury

(a) Positions of Deputy Comptroller of the Currency, Chief National Bank Examiner, Assistant Chief National Bank Examiner, Regional Administrator of National Banks, Deputy Regional Administrator of National Banks, Assistant to the Comptroller of the Currency, National Bank Examiner,

Associate National Bank Examiner, and Assistant National Bank Examiner, whose salaries are paid from assessments against national banks and other financial institutions.

(b) Not to exceed 10 positions engaged in functions mandated by Pub. L. 99-190, the duties of which require expertise and knowledge gained as a present or former employee of the Synthetic Fuels Corporation, as an employee of an organization carrying out projects or contracts for the Corporation, or as an employee of a Government agency involved in the Synthetic Fuels Program. Appointments under this authority may not exceed 4 years.

(c) Not to exceed two positions of Accountant (Tax Specialist) at grades GS-13 and above to serve as specialists on the accounting analysis and treatment of corporation taxes. Employments under this paragraph shall not exceed a period of 18 months in any individual case.

(d) Positions concerned with the protection of the life and safety of the President and members of his immediate family, or other persons for whom similar protective services are prescribed by law, when filled in accordance with special appointment procedures approved by OPM. Service under this authority may not exceed (1) a total of 4 years; or (2) 120 days following completion of the service required for conversion under Executive Order 11203, whichever occurs first.

Section 213.3206 Department of Defense

(a) *Office of the Secretary.* (1) [Reserved]

(2) Professional positions at GS-11 through GS-15 involving systems, costs, and economic analysis functions in the Office of the Assistant Secretary (Program Analysis and Evaluation); and in the Office of the Deputy Assistant Secretary (Systems Policy and Information) in the Office of the Assistant Secretary (Comptroller).

(3)-(4) [Reserved]

(5) Four Net Assessment Analysts.

(b) *Interdepartmental activities.* (1) Five positions to provide general administration, general art and information, photography, and/or visual information support to the White House Photographic Service.

(c) *National Defense University.* (1) Sixty-one positions of professor, GS-13/15, for employment of any one individual on an initial appointment not to exceed 3 years, which may be renewed in any increment from 1 to 6 years indefinitely thereafter.

(d) *General.* (1) One position of Law Enforcement Liaison Officer (Drugs), GS-301-15, U.S. European Command.

(e) *Office of the Inspector General.* (1) Positions of Criminal Investigator, GS-1811-5/15.

(f) *Department of Defense Polygraph Institute, Fort McClellan, Alabama.* (1) One Director, GM-15.

Section 213.3207 Department of the Army

(a) *U.S. Army Command and General Staff College.* (1) Seven positions of professors, instructors, and education specialists. Total employment of any individual under this authority may not exceed 4 years.

(b) *Brooke Army Medical Center, Fort Sam Houston, Texas.* (1) Two Medical Officer (Surgery) positions, GS-12, in the Clinical Division, U.S. Army Institute of Surgical Research, whose incumbents are enrolled in medical school surgical residency programs. Employment under this authority shall not exceed 12 months.

Section 213.3208 Department of the Navy

(a) *Naval Underwater Systems Center, New London, Connecticut.* (1) One position of oceanographer, grade GS-14, to function as project director and manager for research in the weapons systems applications of ocean eddies.

(b) All civilian faculty positions of professors, instructors, and teachers on the staff of the Armed Forces Staff College, Norfolk, Virginia.

(c) One Director and four Research Psychologists at the professor or GS-15 level in the Defense Personnel Security Research and Education Center.

(d) All civilian professor positions at the Marine Corps Command and Staff College.

Section 213.3209 Department of the Air Force

(a) Not to exceed eight interdisciplinary positions for the Air Research Institute at the Air University, Maxwell Air Force Base, Alabama, for employment to complete studies proposed by candidates and acceptable to the Air Force. Initial appointments are made not to exceed 3 years, with an option to renew or extend the appointments in increments of 1, 2, or 3 years indefinitely thereafter.

(b) [Reserved]

(c) One Director of Instruction and 14 civilian Instructors at the Defense Institute of Security Assistance Management, Wright-Patterson Air Force Base, Dayton, Ohio. Individual appointments under this authority will

be for an initial 3-year period, which may be followed by an appointment of indefinite duration.

(d) Twenty-eight positions of professor, associate professor, or professional academic staff at the Air University, Maxwell Air Force Base, Alabama, for employment of any one individual on an initial appointment not to exceed 3 years, which may be renewed in 1-, 2-, or 3-year increments indefinitely thereafter.

Section 213.3210 Department of Justice

(a) Criminal Investigator (Special Agent) positions in the Drug Enforcement Administration. New appointments may be made under this authority only at grades GS-5 through 11. Service under the authority may not exceed 4 years. Appointments made under this authority may be converted to career or career-conditional appointments under the provisions of Executive Order 12230, subject to conditions agreed upon between the Department and OPM.

(b) Positions of Port Receptionist and Supervisory Port Receptionist, Immigration and Naturalization Service.

(c) Not to exceed 400 positions at grades GS-5 through 15 assigned to regional task forces established to conduct special investigations to combat drug trafficking and organized crime.

(d) [Reserved]

(e) Positions, other than secretarial, GS-6 through GS-15, requiring knowledge of the bankruptcy process, on the staff of the offices of United States Trustees or the Executive Office for U.S. Trustees.

Section 213.3213 Department of Agriculture

(a) *Office of International Cooperation and Development.* (1) Positions of a project nature involved in international technical assistance activities. Service under this authority may not exceed 2 years on a single project for any individual. No more than 30 new appointments may be made under this authority in any 12-month period.

(b) *General.* (1) Temporary positions of professional Research Scientists, GS-15 or below, in the Agricultural Research Service and the Forest Service, when such positions are established to support the Research Associateship Program and are filled by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and the agency. Appointments are limited to proposals approved by the appropriate

Administrator. Appointments may be made for initial periods not to exceed 2 years and may be extended for up to two additional years.

Section 213.3214 Department of Commerce

(a) *Bureau of the Census.* (1) [Reserved]

(2) Not to exceed 50 Community Services Specialist positions at the equivalent of GS-5 through GS-12.

(3) Not to exceed 300 Community Awareness Specialist positions at the equivalent of GS-7 through GS-12. Employment under this authority may not exceed December 31, 1992.

(b) [Reserved]

(c) *Minority Business Development Agency.* (1) One position of minority business opportunity specialist at grades GS-9 through GS-15. This authority may not be used for new appointments after December 31, 1977.

(d) *National Telecommunications and Information Administration.* (1) Not to exceed 10 positions of Telecommunications Policy Analysts, grades GS-11 through 15. Employment under this authority may not exceed 2 years.

Section 213.3215 Department of Labor

(a) Positions of Chairman and Member, Wage Appeals Board.

(b) *Office of the Inspector General.* (1) Not to exceed 110 positions of Criminal Investigator (Special Agent), GS-1811-5/15, in the Office of Labor Racketeering.

Section 213.3216 Department of Health and Human Services

(a) *Public Health Service.* (1) Not to exceed 68 positions at GS-11 and below on the Health and Nutrition Examination Survey teams of the National Center for Health Statistics.

(2) One Public Health Education Specialist, GS-1725-15, in the Centers for Disease Control, Atlanta, Georgia.

(b)-(c) [Reserved]

(d) *National Library of Medicine.* (1) Ten positions of Librarian, GS-7, the incumbents of which will be trainees in the Library Associate Training Program in Medical Librarianship and Biomedical Communications. Employment under this authority is not to exceed 1 year.

Section 213.3217 Department of Education

(a) Seventy-five positions, not in excess of GS-13, of a professional or analytical nature when filled by persons, other than college faculty members or candidates working toward college degrees, who are participating in midcareer development programs

authorized by Federal statute or regulation, or sponsored by private nonprofit organizations, when a period of work experience is a requirement for completion of an organized study program. Employment under this authority shall not exceed 1 year.

(b) Fifty positions, GS-7 through GS-11, concerned with advising on education policies, practices, and procedures under unusual and abnormal conditions. Persons employed under this provision must be bona fide elementary school and high school teachers. Appointments under this authority may be made for a period of not to exceed 1 year, and may, with the prior approval of the Office of Personnel Management, be extended for an additional period of 1 year.

Section 213.3227 Department of Veterans Affairs

(a) Not to exceed 800 principal investigatory, scientific, professional and technical positions at grades GS-11 and above in the medical research program. Employment under this authority may not exceed 7 years for any individual.

Section 213.3228 U.S. Information Agency

(a) *Voice of America.* (1) Not to exceed 150 positions at grades GS-15 and below in the Cuba Service. Appointments may not be made under this authority to administrative, clerical, and technical support positions.

(b) Positions of English Language Radio Broadcast Intern, GS-1001-5/7/9. Employment is not to exceed 2 years for any intern.

Section 213.3231 Department of Energy

(a) Twenty Exceptions and Appeals Analyst positions at grades GS-7 through 11, when filled by persons selected under DOE's fellowship program in its Office of Hearings and Appeals, Washington, D.C. Appointments under this authority shall not exceed 3 years.

Section 213.3233 Federal Deposit Insurance Corporation

(a) Up to 569 positions at GS-15 and below engaged in exploring methods to promote stability in the thrift industry, restore the industry to profitability, and protect individual savers. No additional appointments may be made under this authority after September 30, 1990.

Section 213.3234 Federal Trade Commission

(a) Positions filled under the Economic Fellows Program. No more than five new appointments may be made under this

authority in any fiscal year. Service of an individual Fellow may not exceed 4 years.

Section 213.3236 U.S. Soldiers' and Airmen's Home

(a) Three GS-11 Medical Officer positions under a fellowship program on geriatrics.

(b) Director, Health Care Services; Director, Member Services; Director, Logistics; and Director, Plans and Programs.

Section 213.3237 General Services Administration

(a) One position of Deputy Director of Network Services.

Section 213.3242 Export-Import Bank of the U.S.

(a) One position of Food Service Worker WG-7804-3/4/5, in the Office of the President and Chairman.

Section 213.3248 National Aeronautics and Space Administration

(a) Not to exceed 40 positions of Command Pilot, Pilot and Mission Specialist candidates at grades GS-7 through 15 in the Space Shuttle Astronaut program. Employment under this authority may not exceed 3 years.

Section 213.3257 National Credit Union Administration

(a) *Central Liquidity Facility.* (1) All managerial and supervisory positions at pay levels greater than the equivalent of GS-13.

Section 213.3259 ACTION

(a) *Office of Domestic and Anti-Poverty Operations.* (1) Not to exceed 25 positions of Program Specialist at grades GS-9 through GS-15.

(b) *Office of Policy and Research.* (1) Three positions of Program Specialist at grades GS-7 through GS-15.

Section 213.3264 U.S. Arms Control and Disarmament Agency

(a) Twenty-five scientific, professional, and technical positions at grades GS-12 through GS-15 when filled by persons having special qualifications in the fields of foreign policy, foreign affairs, arms control, and related fields. Total employment under this authority may not exceed 4 years.

Section 213.3272 Administrative Office of the U.S. Courts

(a) Not to exceed 31 positions of Federal Probation System Administrator in the Division of Probation, when filled by Federal Probation Officers and/or Pretrial Services Officers on active service in the U.S. Courts.

(b) [Reserved]

(c) Six positions of Clerks Liaison Officer in the Division of Clerks of Court.

Section 213.3274 Smithsonian Institution

(a) *National Zoological Park.* (1) Four positions of Veterinary Intern, GS-8/9/11. Employment under this authority is not to exceed 36 months.

(b) *Freer Gallery of Art.* (1) Not to exceed four positions of Oriental Art Restoration Specialist at grades GS-9 through GS-15.

Section 213.3276 Appalachian Regional Commission

(a) Two Program Coordinators.

Section 213.3282 National Foundation on the Arts and the Humanities

(a) [Reserved]

(b) *National Endowment for the Humanities.* (1) Until September 30, 1990, Humanities Administrator, Reference Materials Programs, Division of Research Programs.

(2) Until September 30, 1990, Humanities Administrator (Assistant Director), Humanities Projects in Higher Education Program, Division of Education Programs.

(3) Until September 30, 1990, Deputy Director, Division of Education Programs.

(4) Until September 30, 1990, Director, Division of Research Grants.

(5) Until September 30, 1990, one position of Director, GS-1701-15, one position of Deputy Director, GS-1701-14, and seven positions of Humanities Administrator, GS-1701-13, Division of State Programs.

(6) Until September 30, 1990, one Director and one Deputy Director, Division of Fellowships and Seminars.

(7) Until September 30, 1990, one Humanities Administrator, Fellowships for College Teachers, Division of Fellowships.

(8) Until September 30, 1990, seven positions of Humanities Administrator, Media Program, Division of General Programs.

(9) Until September 30, 1990, one position of Humanities Administrator, Humanities Projects in Higher Education Program, Division of Education Programs.

(10) Until September 30, 1990, one position of Assistant Director for the Elementary and Secondary Education Program, Division of Education Programs.

(11) Until September 30, 1990, one position of Assistant Director for the Museums and Historical Organizations Program, Division of General Programs.

(12) Until September 30, 1990, four positions of Humanities Administrator, Museums and Historical Organizations Program, Division of General Programs.

(13) Until September 30, 1990, four positions of Humanities Administrator, Elementary and Secondary Education Program, Division of Education Programs.

(14) Until September 30, 1990, Director of General Programs.

(15) Until September 30, 1990, one Assistant to the Director, General Programs.

(16) Until September 30, 1990, one Humanities Administrator, Younger Scholars Programs, Division of General Programs.

(17) Until September 30, 1990, one Humanities Administrator, Public Humanities Projects, Division of General Programs.

(18) Until September 30, 1990, one position of Director, Division of Education Programs.

(19) Until September 30, 1990, one Humanities Administrator (Assistant Director), Texts Programs, Division of Research Programs.

(20) Until September 30, 1990, one Humanities Administrator, Centers for Advanced Study, Division of Research Programs.

(21) Until September 30, 1990, one Challenge Grants Officer.

(22) Until September 30, 1990, one Assistant Director, Media Program, Division of General Programs.

(23) Until September 30, 1990, one position of Humanities Administrator, Publications Program, Division of Research Grants.

(24) Until September 30, 1990, one Deputy Director, Division of Research Grants.

(25) Until September 30, 1990, one Humanities Administrator, Summer Seminars for College Teachers, Division of Fellowships and Seminars.

(26) Until September 30, 1990, two positions of Humanities Administrator, Humanities Libraries Projects, Division of General Programs.

(27) Until September 30, 1990, one position of Humanities Projects Assessment Officer and one position of Humanities Administrator, Office of the Assistant Chairman for Programs.

(28) Until September 30, 1990, one position of Humanities Administrator, Public Humanities Projects, Division of General Programs, GS-14.

(29) Until September 30, 1990, one position of Humanities Administrator, GS-1701-14, in the Interpretive Research Programs, Division of Research Programs.

(30) Until September 30, 1990, one Humanities Administrator, Office of Challenge Grants.

(31)-(33) [Reserved]

(34) Until September 30, 1990, one Humanities Administrator, GS-1701-12, Humanities Projects in Higher Education Program, Division of Education Programs.

(35) Until September 30, 1990, one Humanities Administrator, Humanities Projects in Higher Education Program, Division of Education Programs.

(36) Until September 30, 1990, three Humanities Administrators, Humanities Projects in Higher Education Program, Division of Education Programs.

(37) Until September 30, 1990, two Humanities Administrators, Summer Seminars for Secondary School Teachers, Division of Fellowships and Seminars.

(38) Until September 30, 1990, one Humanities Administrator, Summer Stipends, Division of Fellowships and Seminars.

(39) Until September 30, 1990, one Humanities Administrator, Travel to Collections, Division of Fellowships and Seminars.

(40) Until September 30, 1990, one Humanities Administrator, Translation Program, Reference Works Program, Division of Research Programs.

(41) Until September 30, 1990, one Humanities Administrator, Editions Program, Reference Works Program, Division of Research Programs.

(42) [Reserved]

(43) Until September 30, 1990, one Humanities Administrator, Foundations of American Society Program, Division of Fellowships and Seminars.

(44) Until September 30, 1990, one Humanities Administrator, Humanities Projects in Museums and Historical Organizations, Division of General Programs.

(45) Until September 30, 1990, four Humanities Administrators, Office of Preservation.

(46) Until September 30, 1990, one Director, Office of Preservation.

(47) Until September 30, 1990, one Humanities Administrator (Program Officer), Regrant Programs, Division of Research Programs.

(48) Until September 30, 1990, one Director, Office of Planning and Budget.

(49) Until September 30, 1990, one Humanities Administrator, Tools Program, Reference Materials Program, Division of Research Programs.

(50) Until September 30, 1990, one Humanities Administrator, Access Program, Reference Materials Program, Division of Research Programs.

(51) Until September 30, 1990, one Humanities Administrator, Project Research, Interpretive Research Program, Division of Research Programs.

(52) Until September 30, 1990, one Humanities Administrator, Humanities, Science, and Technology Program, Interpretive Research Program, Division of Research Programs.

(53) Until September 30, 1990, one Humanities Administrator, Office of the Assistant Chairman for Programs and Policy.

Section 213.3285 Pennsylvania Avenue Development Corporation

(a) One position of Civil Engineer (Construction Manager).

Section 213.3291 Office of Personnel Management

(a) Not to exceed eight positions of Associate Director at the Executive Seminar Centers at grades GS-13 and GS-14. Appointments may be made for any period up to 3 years and may be extended without prior approval for any individual. Not more than half of the authorized faculty positions at any one Executive Seminar Center may be filled under this authority.

(b) Twelve positions of faculty members at grades GS-13 through 15, at the Federal Executive Institute. Initial appointments under this authority may be made for any period up to 3 years and may be extended in 1-, 2-, or 3-year increments indefinitely thereafter.

Section 213.3294 Department of Transportation

(a) *Federal Railroad Administration.*
(1) Regional Director of Railroad Safety, Fort Worth Texas.

Schedule C

Section 213.3303 Executive Office of the President

Council of Economic Advisors

CEA 1 Secretary to the Chairman.

CEA 4 Secretary to the Chairman.

CEA 5 Secretary to the Council Member.

CEA 6 Secretary to the Council Member.

Council on Environmental Quality

CEQ 2 Executive Assistant to the Chairman.

CEQ 3 Confidential Assistant to the Chairman.

CEQ 4 Confidential Assistant to the Chairman.

Office of Management and Budget

OMB 10 Confidential Assistant to the Associate Director for Natural Resources, Energy, and Science.

OMB 11 Secretary to the Associate Director, National Security and

International Affairs.

OMB 21 Confidential Assistant to the Director.

OMB 30 Special Assistant to the Associate Director for Congressional Affairs.

OMB 50 Legislative Assistant to the Associate Director for Congressional Affairs.

OMB 59 Public Affairs Assistant to the Director of External Affairs.

OMB 65 Legislative Assistant to the Associate Director for Congressional Affairs.

OMB 66 Secretary to the Associate Director for Economic Policy.

OMB 72 Confidential Assistant to the Associate Director for Human Resources, Veterans and Labor.

OMB 74 Special Assistant to the Associate Director for Congressional Affairs.

OMB 75 Deputy Director of External Affairs.

OMB 76 Confidential Assistant to the Associate Director for Congressional Affairs.

OMB 77 Confidential Assistant to the Deputy Director.

OMB 78 Secretary to the Administrator, Office of Information and Regulatory Affairs.

OMB 79 Special Assistant to the Deputy Director.

OMB 80 Confidential Assistant to the Executive Assistant to the Director.

OMB 82 Confidential Assistant to the Executive Assistant to the Director.

Office of National Drug Control Policy

ONDCP 1 Special Assistant to the Director and White House Liaison (Executive Secretariat).

ONDCP 2 Staff Assistant to the Deputy Director, Demand Reduction.

ONDCP 3 Confidential Assistant to the Deputy Director, Demand Reduction.

ONDCP 4 Legislative Assistant to the Director, Congressional Relations.

ONDCP 5 Legislative Assistant to the Director, Congressional Relations.

ONDCP 7 Confidential Assistant to the Special Assistant to the Director and White House Liaison.

ONDCP 8 Confidential Assistant to the Chief of Staff.

ONDCP 9 Staff Assistant to the Director, Public Affairs.

ONDCP 10 Special Assistant to the Chief of Staff.

ONDCP 11 Staff Assistant to the Chief of Staff.

ONDCP 12 Staff Assistant to the

Chief of Staff.

ONDCP 13 Deputy Chief of Staff.

ONDCP 14 Confidential Assistant to the Director.

ONDCP 15 Legislative Assistant to the Director, Congressional Relations.

ONDCP 16 Legislative Assistant to the Director, Congressional Relations.

ONDCP 17 Confidential Assistant to the Deputy Director, Demand Reduction.

ONDCP 18 Staff Assistant for Scheduling to the Confidential Assistant to the Director.

ONDCP 19 Special Assistant to the Director.

ONDCP 20 Staff Assistant to the Special Assistant to the Director and White House Liaison.

ONDCP 21 Confidential Assistant to the Special Assistant to the Director.

ONDCP 22 Confidential Assistant to the Deputy Chief of Staff.

ONDCP 23 Confidential Assistant to the Director.

ONDCP 25 Confidential Assistant to the General Counsel.

ONDCP 26 Confidential Assistant to the Executive Assistant to the Director.

ONDCP 27 Confidential Assistant to the Director, Congressional Relations.

ONDCP 29 Special Assistant for Prevention to the Deputy Director, Demand Reduction.

ONDCP 30 Special Assistant for Treatment/Health for State and Local Affairs to the Associate Director, State and Local Affairs.

ONDCP 31 Special Assistant for Prevention/Education for State and Local Affairs to the Associate Director, State and Local Affairs.

ONDCP 32 Staff Assistant to the Special Assistant to the Director.

ONCP 33 Staff Assistant to the Deputy Director, Supply Reduction.

ONDCP 34 Confidential Assistant to the Associate Director, State and Local Affairs.

ONDCP 35 Staff Assistant to the Special Assistant to the Director.

ONDCP 36 Special Assistant to the Chairman, President's Drug Advisory Council.

ONnp 37 Staff Assistant to the Chairman, President's Drug Advisory Council.

ONDCP 38 Staff Assistant for Scheduling to the Executive Assistant to the Director.

ONDCP 39 Staff Assistant to the Associate Director, State and Local Affairs.

ONDCP 40 Law Clerk to the General Counsel.
 ONDCP 41 Special Assistant to the Deputy Director, Supply Reduction.
 Office of Science and Technology Policy
 OSTP 1 Public Information Assistant to the Director.
 OSTP 8 Confidential Secretary to the Director.
 President's Commission on Executive Exchange
 PCEE 5 Public Affairs Specialist to the Executive Director.
 PCEE 6 Staff Assistant to the Executive Director.
 PCEE 7 Staff Assistant (Typing) to the Executive Director.
 PCEE 8 Secretary (Typing) to the Executive Director.
 PCEE 11 Associate Director for Education to the Executive Director.
 PCEE 12 Public Affairs Specialist to the Executive Director.
 Office of the United States Trade Representative
 USTR 14 Confidential Secretary to the Ambassador/United States Trade Representative.
 USTR 20 Deputy Assistant United States Trade Representative for Congressional Affairs.
 USTR 21 Confidential Assistant to the Deputy United States Trade Representative.
 USTR 25 Confidential Assistant to the General Counsel.
 USTR 28 Congressional Affairs Officer to the Assistant United States Trade Representative for Congressional Affairs.
 USTR 30 Confidential Assistant to the Deputy United States Trade Representative—Geneva.
 USTR 31 Confidential Secretary to the Ambassador/United States Trade Representative.

Section 213.3304 Department of State

ST 38 Staff Assistant to the Under Secretary for Management.
 ST 51 Special Assistant to the Legal Adviser.
 ST 59 Secretary (Steno) to the Under Secretary for Economic Affairs.
 ST 68 Staff Assistant to the Under Secretary for Management.
 ST 79 Special Assistant to the United States Representative to the United Nations.
 ST 86 Foreign Affairs Officer to the Assistant Secretary, Bureau of International Organization Affairs.
 ST 100 Secretary (Steno) to the United States Representative to the United Nations.
 ST 105 Special Assistant to the Assistant Secretary, Bureau of International Organization Affairs.
 ST 107 Secretary (Typing) to the

Assistant Secretary, Bureau of Economic and Business Affairs.
 ST 112 Member, Policy Planning Staff, to the Director, Policy Planning Staff.
 ST 116 Staff Assistant to the Counselor of the Department.
 ST 117 Confidential Clerk to the Secretary.
 ST 119 Secretary (Typing) to the Assistant Secretary, Bureau of Oceans and International Scientific and Environmental Affairs.
 ST 122 Staff Assistant to the Under Secretary for Management.
 ST 124 Special Assistant to the Assistant Secretary, Bureau of Inter-American Affairs.
 ST 126 Confidential Assistant to the Assistant Secretary for Public Affairs.
 ST 127 Secretary (Steno) to the Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 132 Secretary (Typing) to the Assistant Secretary, Bureau of International Organization Affairs.
 ST 134 Secretary (Steno) to the Deputy Secretary.
 ST 139 Protocol Officer (Visits) to the Chief of Protocol.
 ST 149 Member, Policy Planning Staff, to the Director, Policy Planning Staff.
 ST 155 Protocol Officer (Visits) to the Chief of Protocol.
 ST 161 Secretary (Steno) to the Under Secretary for Management.
 ST 167 Protocol Officer (Visits) to the Chief of Protocol.
 ST 168 Staff Assistant to the Legal Adviser.
 ST 170 Special Assistant to the Deputy Secretary.
 ST 172 Staff Assistant to the Under Secretary for Management.
 ST 173 Special Assistant to the Under Secretary for Management.
 ST 178 Secretary (Steno) to the Assistant Secretary for International Narcotics Matters.
 ST 179 Congressional Relations Officer to the Principal Deputy Assistant Secretary for Legislative and Intergovernmental Affairs.
 ST 180 Director of Programs to the Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 182 Special Assistant to the Assistant Secretary, Bureau of Consular Affairs.
 ST 183 Public Affairs Advisor to the Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 185 Congressional Liaison Officer to the Ambassador-at-Large for

Refugee Affairs.
 ST 188 Staff Assistant to the Assistant Secretary for International Narcotics Matters.
 ST 190 Special Assistant to the Ambassador-at-Large and Special Advisor to the Secretary.
 ST 203 Staff Assistant to the Counselor of the Department.
 ST 205 Secretary (Steno) to the Assistant Secretary for East Asian and Pacific Affairs.
 ST 209 Protocol Officer (Visits) to the Chief of Protocol.
 ST 213 Secretary (Typing) to the Principal Deputy Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 214 Secretary (Typing) to the Assistant Secretary, Bureau of Economic and Business Affairs.
 ST 216 Special Assistant to the Assistant Secretary, Bureau of Inter-American Affairs.
 ST 217 Special Assistant to the Assistant Secretary, Bureau of Inter-American Affairs.
 ST 225 Foreign Affairs Officer to the Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 226 Special Assistant to the Assistant Secretary, Bureau of Near Eastern and South Asian Affairs.
 ST 227 Staff Assistant to the Assistant Secretary, Bureau of Human Rights and Humanitarian Affairs.
 ST 229 Special Assistant to the Assistant Secretary, Bureau of Inter-American Affairs.
 ST 242 Special Program Assistant to the Director of Human Rights Legislation and Public Diplomacy, Bureau of Human Rights and Humanitarian Affairs.
 ST 243 Program Specialist to the Chief of Protocol.
 ST 244 Legislative Management Officer to the Assistant Secretary, Bureau of Legislative Affairs.
 ST 248 Special Assistant to the Deputy Assistant Secretary for International Social and Humanitarian Affairs, Bureau of International Organization Affairs.
 ST 249 Staff Assistant to the Deputy Secretary.
 ST 250 Public Information Officer to the Deputy Assistant Secretary for International Social and Humanitarian Affairs, Bureau of International Organization Affairs.
 ST 252 Protocol Officer (Visits) to the Chief of Protocol.
 ST 256 Policy and Press Advisor to the U.S. Permanent Representative to the U.S. Mission to the

Organization of American States.
 ST 258 Secretary (Steno) to the Inspector General.
 ST 259 Special Assistant to the Legal Adviser.
 ST 260 Special Assistant to the Under Secretary for Security Assistance, Science, and Technology.
 ST 261 Special Assistant to the Under Secretary for Security Assistance, Science, and Technology.
 ST 262 Associate Director, Office of Equal Employment Opportunity and Civil Rights, to the Deputy Assistant Secretary for Equal Employment Opportunity and Civil Rights.
 ST 263 Special Assistant to the Secretary.
 ST 264 Coordinator, Intergovernmental Affairs, to the Deputy Assistant Secretary for Public Diplomacy.
 ST 265 Staff Assistant to the Secretary.
 ST 266 Special Assistant to the Secretary.
 ST 267 Secretary to the Assistant Secretary, Bureau of Public Affairs.
 ST 268 Staff Assistant to the Secretary.
 ST 269 Supervisory Protocol Officer to the Chief of Protocol.
 ST 271 Member, Policy Planning Staff, to the Director, Policy Planning Staff.
 ST 272 Staff Assistant to the Deputy Secretary.
 ST 273 Secretary (Typing) to the Secretary.
 ST 274 Special Assistant to the Head of the U.S. Delegation to Geneva for Arms Reduction Negotiations.
 ST 275 Staff Assistant to the Special Assistant to the Under Secretary for Management.
 ST 277 Special Assistant to the Director, Policy Planning Staff.
 ST 278 Secretary (Steno) to the Director, Policy Planning Staff.
 ST 279 Staff Assistant to the Coordinator of Intergovernmental Affairs.
 ST 280 Special Programs Assistant to the Director of Human Rights Legislation and Public Diplomacy, Bureau of Human Rights and Humanitarian Affairs.
 ST 281 Foreign Affairs Officer (Visits) to the Chief of Protocol.
 ST 282 Special Assistant to the Ambassador-at-Large for Refugee Affairs.
 ST 283 Secretary (Typing) to the Under Secretary for Management.
 ST 285 Staff Assistant to the Assistant Secretary for International Narcotics Matters.

ST 286 Secretary (Steno) to the United States' Permanent Representative to the Organization of American States.
 ST 290 Secretary (Steno) to the Ambassador-at-Large for Burdensharing.
 ST 291 Senior Policy Advisor to the Assistant Secretary for Legislative Affairs.
 ST 292 Foreign Affairs Officer to the Assistant Secretary, Bureau of International Organization Affairs.
 ST 293 Special Assistant to the U.S. Negotiator for Defense and Space.
 ST 294 Secretary (Steno) to the Under Secretary for Security Assistance, Science and Technology.
 ST 295 Secretary (Steno) to the Assistant Secretary, Bureau of Consular Affairs.
 ST 296 Secretary (Steno) to the Chief Financial Officer.
 ST 297 Foreign Affairs Officer to the Chief of Protocol.
 ST 298 Deputy Assistant Secretary for Passport Services to the Assistant Secretary, Bureau of Consular Affairs.
 ST 299 Staff Assistant to the Secretary.
 ST 302 Staff Assistant to the U.S. Negotiator for Defense and Space.

Section 213.3305 Department of the Treasury

TREA 27 Executive Assistant to the Secretary.
 TREA 39 Special Assistant to the Assistant Secretary for Legislative Affairs.
 TREA 44 Legislative Manager to the Assistant Secretary for Legislative Affairs.
 TREA 92 Director, Consumer Affairs, to the Assistant Secretary for Business and Consumer Affairs.
 TREA 94 Executive Assistant to the Commissioner of Customs.
 TREA 122 Public Affairs Specialist to the Assistant Secretary for Policy, Planning and Communications.
 TREA 126 Staff Assistant to the Director of the Mint.
 TREA 128 Confidential Assistant to the Secretary.
 TREA 139 Director of Scheduling to the Assistant Secretary for Policy Management.
 TREA 145 Travel Assistant to the Deputy Assistant Secretary for Administration.
 TREA 146 Legislative Assistant to the Assistant Secretary for Legislative Affairs.
 TREA 153 Legislative Specialist to the Assistant Secretary for

Legislative Affairs.
 TREA 156 Special Assistant to the Assistant Secretary for Policy Development.
 TREA 157 Congressional Liaison Officer to the Associate Commissioner of Customs for Congressional and Public Affairs.
 TREA 170 Assistant Director for Travel and Special Event Services, to the Deputy Assistant Secretary for Administration.
 TREA 185 Legislative Manager to the Assistant Secretary for Legislative Affairs.
 TREA 186 Public Affairs Specialist to the Treasurer of the United States.
 TREA 187 Deputy Assistant Secretary for Policy Review to the Assistant Secretary for Policy Development.
 TREA 188 Special Assistant (Policy Analysis) to the Secretary.
 TREA 189 Special Assistant (Personnel) to the Secretary.
 TREA 190 Special Assistant to the Director of Scheduling.
 TREA 191 Special Assistant to the Deputy Assistant Secretary for Departmental Finance and Management.
 TREA 192 Confidential Assistant to the Secretary.
 TREA 193 Director, Office of Intergovernmental Affairs, to the Deputy Assistant Secretary for Public Liaison.
 TREA 196 Confidential Assistant to the Executive Secretary.
 TREA 199 Executive Assistant to the Deputy Secretary.
 TREA 200 Legislative Manager to the Assistant Secretary for Legislative Affairs.
 TREA 201 Deputy Assistant Secretary for Legislative Affairs.
 TREA 202 Director, Office of Legislative Affairs, to the Assistant Secretary for Legislative Affairs.
 TREA 203 Staff Assistant (Correspondence Review) to the Executive Secretary.
 TREA 204 Staff Assistant to the Assistant Secretary for Policy Management.
 TREA 205 Director, Office of Corporate Finance, to the Deputy Assistant Secretary for Corporate Finance.
 TREA 207 Legislative Manager to the Assistant Secretary for Legislative Affairs.
 TREA 209 Special Assistant to the Under Secretary for Finance.
 TREA 210 Staff Assistant to the Director of the Mint.
 TREA 213 Confidential Assistant to

the Assistant Secretary for Legislative Affairs.
 TREA 214 Special Assistant to the Deputy Assistant Secretary for Corporate Finance.
 TREA 216 Special Assistant to the Assistant Secretary for Policy Management.
 TREA 217 Special Assistant to the Assistant Secretary for International Affairs.
 TREA 218 Special Assistant to the Deputy Assistant Secretary for Corporate Finance.
 TREA 219 Special Assistant to the Assistant Secretary for Economic Policy.
 TREA 220 Secretary to the Commissioner of Internal Revenue.
 TREA 221 U.S. Executive Director, African Development Bank, to the Assistant Secretary for International Affairs.
 TREA 222 Special Assistant to the Under Secretary for International Affairs.
 TREA 223 Special Assistant to the Deputy Assistant Secretary for Law Enforcement.
 TREA 226 Assistant to the Commissioner of Internal Revenue.
 TREA 227 Special Assistant to the Assistant Secretary for Management.
 TREA 228 Assistant and Press Secretary to the Director of the Mint.
 TREA 229 Senior Advisor to the Secretary for Economic Policy Coordination.
 TREA 230 Staff Assistant to the Director of Public Affairs.
 TREA 231 Special Assistant to the Deputy Treasurer of the United States.
 TREA 233 Deputy Executive Secretary.
 TREA 235 Special Assistant for Administrative Operations to the Deputy Assistant Secretary for Management.
 TREA 236 Staff Assistant to the Deputy Assistant Secretary for Public Liaison.

Section 213.3306 Department of Defense

DOD 5 Private Secretary to the Deputy Secretary.
 DOD 19 Personal and Confidential Assistant to the Assistant Secretary for Program Analysis and Evaluation.
 DOD 22 Private Secretary to the Assistant to the Secretary (Atomic Energy).
 DOD 23 Confidential Assistant to the Military Assistant to the Secretary.

DOD 24 Chauffeur to the Secretary.
 DOD 30 Secretary (Steno) to the Defense Advisor to U.S. NATO.
 DOD 31 Confidential Assistant to the Assistant Secretary for Legislative Affairs.
 DOD 33 Personal Secretary to the Deputy Secretary.
 DOD 34 Private Secretary to the Principal Deputy Assistant Secretary for International Security Affairs.
 DOD 35 Confidential Assistant to the Special Assistant to the Secretary and Deputy Secretary.
 DOD 51 Private Secretary to the Assistant Secretary for Reserve Affairs.
 DOD 54 Private Secretary to the Judge, U.S. Court of Military Appeals.
 DOD 55 Private Secretary to the Chief Judge, U.S. Court of Military Appeals.
 DOD 56 Private Secretary to the Judge, U.S. Court of Military Appeals.
 DOD 62 Management Officer to the Chairman, President's Intelligence Oversight Board.
 DOD 75 Chauffeur to the Deputy Secretary.
 DOD 89 Secretary (Typing) to the Principal Deputy Assistant Secretary for Public Affairs.
 DOD 101 Personal and Confidential Assistant to the Director of Net Assessment.
 DOD 119 Private Secretary to the Principal Deputy Assistant Secretary for Program Analysis and Evaluation.
 DOD 133 Public Affairs Specialist to the Assistant Secretary for Public Affairs.
 DOD 171 Special Assistant to the Deputy Assistant Secretary for Reserve Affairs.
 DOD 174 Private Secretary to the Under Secretary for Policy.
 DOD 175 Personal and Confidential Assistant to the Judge, U.S. Court of Military Appeals.
 DOD 178 Special Assistant to the Assistant Secretary for Legislative Affairs.
 DOD 205 Personal and Confidential Assistant to the Judge, U.S. Court of Military Appeals.
 DOD 217 Personal and Confidential Assistant to the Assistant Secretary for Command, Control, Communications and Information.
 DOD 234 Deputy Assistant to the Secretary.
 DOD 236 Director for Programs to the Assistant Secretary for Public Affairs.
 DOD 239 Confidential Assistant to

the Assistant to the Secretary.
 DOD 241 Personal and Confidential Assistant to the Assistant Secretary for International Security Policy.
 DOD 250 Director for Editorial Services to the Assistant Secretary for Public Affairs.
 DOD 254 Special Assistant for Emergency Planning to the Assistant Secretary (Production and Logistics).
 DOD 255 Personal and Confidential Assistant to the Deputy Secretary.
 DOD 256 Staff Assistant to the Assistant Secretary for Force Management and Personnel.
 DOD 261 Special Assistant for European Security and Political Affairs to the Deputy Assistant Secretary for European and NATO Policy.
 DOD 270 Private Secretary to the Director, Strategic Defense Initiative Organization.
 DOD 271 Private Secretary to the Principal Deputy Assistant Secretary for Reserve Affairs.
 DOD 274 Security Advisor to the Deputy Assistant to the President/Director, White House Military Office.
 DOD 275 Assistant for European Security Negotiations to the Deputy Assistant Secretary (Negotiations Policy).
 DOD 279 Personal and Confidential Assistant to the Director, Operational Test and Evaluation.
 DOD 283 Special Assistant to the Assistant Secretary for Public Affairs.
 DOD 287 Special Assistant for Strategic Defense and Space Arms Control Policy to the Deputy Assistant Secretary (Nuclear Forces and Arms Control Policy).
 DOD 294 Staff Specialist to the Deputy Director, Strategic Defense Initiative Organization.
 DOD 298 Confidential Assistant to the Under Secretary for Acquisition.
 DOD 301 Personal and Confidential Assistant to the Assistant Secretary for Production and Logistics.
 DOD 304 Assistant to the Deputy Director, Policy, External Affairs and Special Programs, Office of Operational Test and Evaluation.
 DOD 306 Attorney Advisor (Military) to the Judge, U.S. Court of Military Appeals.
 DOD 308 Director, Low-Intensity Conflict, to the Deputy Assistant Secretary for Low-Intensity Conflict.
 DOD 310 Staff Assistant to the Chairman, Joint Chiefs of Staff.
 DOD 311 Staff Assistant to the

Assistant to the Chairman, Joint Chiefs of Staff.

DOD 313 Staff Assistant to the Deputy Assistant Secretary for Family Support, Education, and Safety.

DOD 314 Personal and Confidential Assistant to the Under Secretary for Acquisition.

DOD 316 Attorney Advisor (Military) to the Judge, U.S. Court of Military Appeals.

DOD 319 Executive Assistant, National Defense Stockpile, to the Special Assistant to the Assistant Secretary (Production and Logistics) for Stockpile Policy and Programs.

DOD 320 Executive Assistant to the Secretary.

DOD 321 Staff Assistant to the Assistant to the Vice President for National Security Affairs.

DOD 322 Personal and Confidential Assistant to the U.S. Ambassador to NATO.

DOD 323 Deputy Protocol Officer to the Protocol Officer.

DOD 324 Confidential Assistant to the Comptroller.

DOD 325 Special Assistant for Foreign Affairs to the Assistant Secretary for Legislative Affairs.

DOD 326 Special Assistant for International Security Affairs to the Assistant Secretary for Legislative Affairs.

DOD 327 Special Assistant for Strategic Systems to the Assistant Secretary for Legislative Affairs.

DOD 328 Administrative Assistant to the Assistant to the Secretary.

DOD 329 Special Assistant to the Under Secretary for Policy.

DOD 332 Personal and Confidential Assistant to the Assistant Secretary for International Security Affairs.

DOD 333 South American Country Director to the Assistant Secretary for International Security Affairs.

DOD 334 Public Affairs Specialist to the Assistant Secretary for Public Affairs.

DOD 335 Public Affairs Specialist to the Assistant Secretary for Public Affairs.

DOD 336 Public Affairs Specialist to the Assistant Secretary for Public Affairs.

DOD 337 Special Assistant (Operations) to the Assistant Secretary for Public Affairs.

DOD 338 Public Affairs Specialist to the Assistant Secretary for Public Affairs.

DOD 340 Speechwriter to the Assistant Secretary for Public Affairs.

DOD 344 Program Analyst to the Deputy Under Secretary for

Industrial and International Programs.

DOD 345 Program Analyst to the Deputy Under Secretary for International Programs.

DOD 346 Program Analyst to the Deputy Under Secretary for International Programs.

DOD 348 Special Assistant for Technology Transfer to the Deputy Under Secretary for Trade Security Policy.

DOD 349 Special Assistant to the Assistant Secretary for International Security Affairs.

DOD 350 Special Assistant to the Deputy Under Secretary for Security Policy.

DOD 351 Special Assistant to the Assistant Secretary for International Security Affairs.

DOD 352 Confidential Assistant to the General Counsel.

DOD 354 Special Assistant to the Principal Deputy Under Secretary for Strategy and Resources.

DOD 355 Special Assistant for Strategic Modernization to the Assistant Secretary for Legislative Affairs.

DOD 356 Director, Humanitarian Assistance, to the Deputy Assistant Secretary for Global Affairs.

DOD 357 Director, Atlantic-Pacific Issues, to the Assistant Deputy Under Secretary for Policy Planning.

DOD 358 Assistant for Multi-Lateral Negotiations to the Assistant Secretary for International Security Affairs.

DOD-359 Private Secretary to the Principal Deputy Assistant Secretary for Special Operations/Low Intensity Conflict.

DOD 361 Special Assistant for Production and Logistics and Energy to the Assistant Secretary for Legislative Affairs.

DOD 362 Education Programs Officer to the Deputy Assistant Secretary for Drug Enforcement Policy.

DOD 363 Research Analyst to the Deputy Assistant Secretary for Drug Enforcement Policy.

DOD 364 Assistant Airlift Coordinator to the Special Assistant for Airlift Operations to the Director, White House Military Office.

DOD 365 Staff Assistant to the Deputy Director, Office of Presidential Personnel.

DOD 366 Private Secretary to the Associate Director, Office of Presidential Personnel.

DOD 367 Special Assistant to the Principal Deputy Under Secretary for Strategy and Resources.

DOD 368 Personal and Confidential Secretary to the Assistant Secretary for Legislative Affairs.

DOD 371 Private Secretary to the Deputy Under Secretary for Acquisition Planning.

DOD 372 Special Assistant to the Assistant Secretary for Production and Logistics.

Section 213.3307 Department of the Army.

ARMY 3 Secretary (Steno) to the Assistant Secretary (Manpower and Reserve Affairs).

ARMY 5 Secretary (Steno) to the Assistant Secretary (Installations, Logistics and Environment).

ARMY 6 Secretary (Steno) to the Assistant Secretary (Research, Development and Acquisition).

ARMY 21 Secretary (Steno) to the General Counsel.

ARMY 55 Secretary (Typing) to the Assistant Secretary (Financial Management).

ARMY 57 Staff Assistant to the Assistant Secretary (Manpower and Reserve Affairs).

ARMY 58 Staff Assistant to the Secretary.

ARMY 59 Staff Assistant to the Secretary.

ARMY 60 Staff Assistant to the Assistant Secretary (Financial Management).

ARMY 61 Staff Assistant to the Assistant Secretary (Manpower and Reserve Affairs).

ARMY 62 Congressional Liaison Specialist to the Secretary.

ARMY 64 Plans Coordinator to the Chief of Public Affairs.

ARMY 65 Confidential Assistant to the Under Secretary.

Section 213.3308 Department of the Navy

NAV 2 Staff Assistant to the Secretary.

NAV 7 Private Secretary to the Assistant Secretary for Research, Engineering and Systems.

NAV 20 Special Assistant to the Military Assistant to the President.

NAV 23 Special Assistant to the Military Assistant to the President.

NAV 24 Private Secretary to the Assistant Secretary for Manpower and Reserve Affairs.

NAV 25 Special Assistant to the Under Secretary.

NAV 30 Staff Assistant to the Deputy Under Secretary for Policy.

NAV 31 Staff Assistant to the Under Secretary.

NAV 42 Staff Assistant to the Under Secretary.

- NAV 43 Staff Assistant to the Under Secretary.
NAV 44 Staff Assistant to the Under Secretary.

Section 213.3309 Department of the Air Force

- AF 1 Secretary (Steno) to the Secretary.
AF 5 Secretary (Steno) to the Assistant Secretary for Research, Development and Logistics.
AF 6 Secretary (Steno) to the Assistant Secretary for Manpower and Reserve Affairs, Installations and Environment.
AF 8 Secretary (Steno) to the General Counsel.
AF 20 Secretary (Steno) to the Military Assistant to the President.
AF 22 Secretary (Typing) to the Assistant to the Vice President for National Security Affairs.
AF 28 Special Assistant to the General Counsel.
AF 33 Confidential Information Assistant to the Secretary.
AF 34 Secretary (Steno) to the Assistant Secretary for Space.
AF 35 Special and Confidential Assistant to the Secretary.
AF 36 Special Assistant to the Assistant to the Vice President for National Security Affairs.
AF 37 Confidential Assistant to the Under Secretary.

Section 213.3310 Department of Justice

- JUS 21 Confidential Assistant to the Assistant Attorney General, Antitrust Division.
JUS 35 Confidential Assistant to the Assistant Attorney General, Office of Legal Counsel.
JUS 83 Confidential Assistant to the Attorney General.
JUS 100 Confidential Assistant to the Director of Congressional and Public Affairs, Immigration and Naturalization Service.
JUS 132 Special Assistant for Policy Development to the Commissioner, Immigration and Naturalization Service.
JUS 149 Counsel to the Assistant Attorney General, Land and Natural Resources Division.
JUS 166 Assistant to the Attorney General.
JUS 227 Staff Assistant to the Director, Community Relations Service.
JUS 240 Special Assistant to the Deputy Assistant Attorney General for Legislation and Litigation, Civil Rights Division.
JUS 262 Staff Assistant to the Director, Bureau of Justice Statistics.

- JUS 269 Special Assistant to the Assistant Attorney General, Office of Legislative Affairs.
JUS 271 Confidential Assistant to the Director, Office of Policy Development.
JUS 294 Special Assistant to the Assistant Attorney General, Tax Division.
JUS 297 Attorney-Advisor (Special Assistant) to the Assistant Attorney General, Civil Division.
JUS 301 Attorney-Advisor (Special Assistant) to the Principal Deputy Assistant Attorney General, Civil Division.
JUS 305 Deputy Director of Congressional Affairs, Immigration and Naturalization Service.
JUS 315 Confidential Assistant to the Director, National Obscenity Enforcement Unit, Criminal Division.
JUS 320 Special Assistant to the Assistant Attorney General, Antitrust Division.
JUS 323 Confidential Assistant to the Assistant Attorney General, Office of Justice Programs.
JUS 331 Special Assistant to the Director, National Institute of Justice.
JUS 340 Chief of Staff to the Director, Community Relations Service.
JUS 342 Confidential Assistant to the Commissioner, Immigration and Naturalization Service.
JUS 344 Confidential Assistant to the Attorney General.
JUS 345 Special Assistant to the Director, Community Relations Service.
JUS 348 Staff Assistant to the Attorney General.
JUS 350 Special Assistant to the Assistant to the Attorney General.
JUS 351 Staff Assistant to the Attorney General.
JUS 353 Confidential Assistant to the Solicitor General.
JUS 354 Attorney Adviser to the General Counsel.
JUS 355 Special Assistant to the Chairman, Foreign Claims Settlement Commission.
JUS 356 Staff Assistant to the Attorney General.
JUS 357 Confidential Assistant to the Deputy Attorney General.
JUS 358 Senior Liaison Officer to the Director, Office of Liaison Services.
JUS 359 General Attorney to the Assistant Attorney General, Office of Justice Programs.
JUS 360 Assistant Director, Asylum Policy and Review Unit, Office of Policy Development.
JUS 361 Special Assistant to the

Assistant Attorney General, Office of Justice Programs.

- JUS 362 Special Assistant to the Director, Office of Policy Development.
JUS 363 Special Assistant to the Assistant Attorney General, Land and Natural Resources Division.
JUS 364 Special Assistant to the Deputy Assistant Attorney General, Office of Justice Programs.
JUS 366 Counsel to the Director, United States Marshals Service.
JUS 367 Confidential Assistant to the Executive Assistant to the Attorney General.
JUS 368 Attorney Advisor (Special Counsel) to the Assistant Attorney General, Civil Division.
JUS 369 Deputy Director, Office of Policy Development.
JUS 370 Special Counsel to the Director, Office of Liaison Services.
JUS 371 Senior Liaison Officer to the Director, Office of Liaison Services.
JUS 372 Public Affairs Specialist to the Director, Office of Liaison Services.
JUS 373 Deputy Director, Office of Liaison Services.
JUS 374 Staff Assistant to the Director, Office of Liaison Services.
JUS 375 Staff Assistant to the Attorney General.

Section 213.3312 Department of the Interior

- INT 21 Confidential Assistant to the Assistant Secretary for Fish and Wildlife and Parks.
INT 92 Special Assistant to the Assistant Secretary for Policy, Budget, and Administration.
INT 124 Special Assistant to the Assistant Director, Refugees and Wildlife, Fish and Wildlife Service.
INT 162 Special Assistant to the Assistant Secretary for Territorial and International Affairs.
INT 182 Special Assistant to the Under Secretary.
INT 191 Special Assistant to the Director, Bureau of Land Management.
INT 201 Deputy Assistant Secretary for Territorial and International Affairs.
INT 208 Congressional Liaison Officer to the Director, Minerals Management Service.
INT 212 Special Assistant to the Assistant to the Secretary and Director, External Affairs.
INT 238 Director, Office of External Affairs, to the Commissioner of Reclamation.
INT 268 Special Assistant to the Director, Office of Surface Mining

Reclamation and Enforcement.
 INT 274 Congressional Liaison Specialist to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 287 Assistant to the Director and Deputy Director, Office of External Affairs, Bureau of Land Management.
 INT 288 Staff Assistant to the Director, Bureau of Land Management.
 INT 300 Special Assistant to the Solicitor.
 INT 306 Public Affairs Specialist to the Director, External Affairs Office, Bureau of Reclamation.
 INT 309 Special Assistant to the Director, Fish and Wildlife Service.
 INT 311 Special Assistant to the Assistant Secretary for Policy, Budget, and Administration.
 INT 317 Special Assistant to the Assistant Director of External Affairs, Fish and Wildlife Service.
 INT 327 Special Assistant to the Director, National Park Service.
 INT 329 Special Assistant to the Assistant to the Secretary and Director, External Affairs.
 INT 330 Deputy Director, Office of Public Affairs, to the Assistant to the Secretary and Director, Office of Public Affairs.
 INT 332 Special Assistant for Control and Correspondence to the Special Assistant for Policy and Programs (Chief of Staff).
 INT 334 Staff Assistant for Intergovernmental Affairs to the Assistant to the Secretary and Director, External Affairs.
 INT 335 Special Assistant to the Assistant Secretary for Indian Affairs.
 INT 336 Special Assistant to the Director, Bureau of Land Management.
 INT 337 Special Assistant to the Solicitor.
 INT 338 Confidential Assistant to the Secretary.
 INT 340 Special Assistant to the Director, Bureau of Land Management.
 INT 342 Assistant Director, Legislative and Congressional Affairs, to the Director, National Park Service.
 INT 343 Special Assistant to the Director, External Affairs Office, Bureau of Reclamation.
 INT 344 Special Assistant to the Commissioner of Reclamation.
 INT 345 Special Assistant to the Director, Fish and Wildlife Service.
 INT 346 Confidential Assistant to the Deputy Director, Minerals Management Service.

INT 348 Special Assistant to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 349 Special Assistant to the Assistant to the Secretary and Director, External Affairs.
 INT 350 Legislative Assistant to the Deputy Director, Minerals Management Service.
 INT 351 Special Assistant to the Assistant Secretary for Policy, Budget, and Administration.
 INT 352 Program Assistant to the Deputy Director, Minerals Management Service.
 INT 354 Special Assistant to the Director, National Park Service.
 INT 355 Special Assistant to the Assistant Secretary for Territorial and International Affairs.
 INT 356 Special Assistant to the Director, Bureau of Mines.
 INT 358 Special Assistant to the Director, National Park Service.
 INT 359 Staff Assistant to the Assistant to the Secretary and Director, Office of Public Affairs.
 INT 360 Special Assistant to the Director, Bureau of Mines.
 INT 361 Staff Assistant to the Director, Bureau of Land Management.
 INT 362 Special Assistant to the Under Secretary.
 INT 363 Special Assistant to the Director, National Park Service.
 INT 365 Special Assistant to the Director, National Park Service.
 INT 366 Deputy Assistant Secretary for Territorial and International Affairs.
 INT 367 Special Assistant to the Director, National Park Service.
 INT 368 Special Assistant to the Deputy Assistant Secretary for Land and Minerals Management.
 INT 369 Staff Assistant to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 370 Special Assistant to the Director, Bureau of Land Management.
 INT 371 Special Assistant to the Director, Bureau of Mines.
 INT 372 Special Assistant to the Assistant Secretary for Policy, Budget and Administration.
 INT 374 Special Assistant (External Affairs) to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 375 Special Assistant to the Deputy Director, Minerals Management Service.
 INT 377 Special Assistant to the Assistant Secretary for Land and Minerals Management.
 INT 378 Special Assistant to the Director, Office of Surface Mining

Reclamation and Enforcement.
 INT 379 Special Assistant to the Assistant Director for Fisheries, Fish and Wildlife Service.
 INT 380 Special Assistant to the Assistant Secretary for Indian Affairs.
 INT 381 Confidential Assistant to the Assistant to the Secretary and Director, External Affairs.
 INT 382 Congressional Affairs Officer (Chief, Congressional Affairs) to the Deputy Director, External Affairs, Bureau of Land Management.
 INT 383 Special Assistant to the Director, Fish and Wildlife Service.
 INT 384 Confidential Assistant to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 385 Special Assistant to the Assistant Secretary for Policy, Budget and Administration.
 INT 386 Chief, Division of Public Affairs, to the Deputy Director, External Affairs, Bureau of Land Management.
 INT 387 Congressional and Legislative Affairs Officer to the Deputy to the Assistant Secretary for Indian Affairs (Operations).
 INT 388 Congressional Liaison Specialist to the Director, Office of Surface Mining Reclamation and Enforcement.
 INT 389 Special Assistant to the Deputy Commissioner, Bureau of Reclamation.
 INT 390 Special Assistant to the Deputy to the Assistant Secretary for Indian Affairs (Operations).
 INT 391 Special Assistant to the Assistant Secretary for Policy, Budget and Administration.
 INT 392 External Affairs Officer to the Director, Minerals Management Service.

Section 213.3313 Department of Agriculture

AGR 1 Staff Assistant to the Executive Assistant for Operations and Correspondence to the Secretary.
 AGR 5 Special Assistant to the Chief of Staff.
 AGR 8 Chauffeur to the Secretary.
 AGR 12 Private Secretary to the Under Secretary for International Affairs and Commodity Programs.
 AGR 24 Confidential Assistant to the Administrator, Farmers Home Administration.
 AGR 26 Confidential Assistant to the Administrator, Farmers Home Administration.
 AGR 28 Member, Board of Directors,

- to the Secretary, Federal Crop Insurance Corporation.
- AGR 29 Member, Board of Directors, to the Secretary, Federal Crop Insurance Corporation.
- AGR 30 Private Secretary to the Manager, Federal Crop Insurance Corporation.
- AGR 32 Special Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
- AGR 33 Confidential Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
- AGR 34 Confidential Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
- AGR 35 Private Secretary to the Administrator, Agricultural Stabilization and Conservation Service.
- AGR 44 Private Secretary to the Assistant Secretary for Economics.
- AGR 47 Confidential Assistant to the Administrator, Food and Nutrition Service.
- AGR 49 Confidential Assistant to the Administrator, Farmers Home Administration.
- AGR 58 Private Secretary to the Assistant Secretary for Congressional Relations.
- AGR 62 Confidential Assistant to the Under Secretary for Small Community and Rural Development.
- AGR 74 Private Secretary to the Deputy Assistant Secretary for Food and Consumer Services.
- AGR 76 Confidential Assistant to the Assistant Secretary for Marketing and Inspection Services.
- AGR 77 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 79 Confidential Assistant to the Administrator, Farmers Home Administration.
- AGR 81 Confidential Assistant to the Administrator, Farmers Home Administration.
- AGR 96 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 103 Confidential Assistant to the Administrator, Foreign Agricultural Service.
- AGR 105 Director, Programs and Planning, to the Director, Office of Public Affairs.
- AGR 106 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 109 Deputy Director, Programs and Planning, Office of Public Affairs.
- AGR 110 Confidential Assistant to the General Counsel.
- AGR 114 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 116 Confidential Assistant to the Director, Office of Public Liaison, Office of Public Affairs.
- AGR 118 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 128 Private Secretary to the Administrator, Federal Grain Inspection Service.
- AGR 139 Staff Assistant to the Secretary.
- AGR 141 Confidential Assistant to the Administrator, Food Safety and Inspection Service.
- AGR 151 Executive Assistant to the Administrator, Agricultural Marketing Service.
- AGR 158 Private Secretary to the Assistant Secretary for Science and Education.
- AGR 161 Confidential Assistant to the Director, Office of Public Affairs.
- AGR 162 Confidential Assistant to the Administrator, Federal Grain Inspection Service.
- AGR 164 Confidential Assistant to the Assistant Secretary for Science and Education.
- AGR 167 Administrator, Human Nutrition Information Services, to the Assistant Secretary for Food and Consumer Services.
- AGR 169 Private Secretary to the Deputy Assistant Secretary for Economics.
- AGR 175 Confidential Assistant to the Director, Office of Public Affairs.
- AGR 177 Confidential Assistant to the Administrator, Office of Transportation.
- AGR 179 Private Secretary to the Director, Office of Public Affairs.
- AGR 184 Staff Assistant to the Secretary.
- AGR 188 Northeast Area Director to the Deputy Administrator, Office of State and County Operations.
- AGR 189 Southeast Area Director to the Deputy Administrator, Office of State and County Operations.
- AGR 190 Midwest Area Director to the Deputy Administrator, Office of State and County Operations.
- AGR 191 Northwest Area Director to the Deputy Administrator, Office of State and County Operations.
- AGR 192 Southwest Area Director to the Deputy Administrator, Office of State and County Operations.
- AGR 194 Private Secretary to the Under Secretary for Small Community and Rural Development.
- AGR 200 Confidential Assistant to the Assistant Secretary for Administration.
- AGR 201 Confidential Assistant to the Special Assistant to the Secretary.
- AGR 203 Confidential Assistant to the Special Assistant to the Secretary.
- AGR 206 Director, Office of the Consumer Advisor to the Assistant Secretary for Food and Consumer Services.
- AGR 207 Member, Board of Directors, to the Secretary, Federal Crop Insurance Corporation.
- AGR 208 Member, Board of Directors, to the Secretary, Federal Crop Insurance Corporation.
- AGR 209 Confidential Assistant to the Chief, Soil Conservation Service.
- AGR 213 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 218 Staff Assistant to the Assistant Secretary for Administration.
- AGR 222 Confidential Assistant to the Manager, Federal Crop Insurance Corporation.
- AGR 224 Director, Congressional and Public Affairs Division, to the Manager, Federal Crop Insurance Corporation.
- AGR 225 Confidential Assistant to the Manager, Federal Crop Insurance Corporation.
- AGR 226 Confidential Assistant to the Administrator, Food and Nutrition Service.
- AGR 231 Deputy Director, Intergovernmental Affairs, Office of Public Affairs.
- AGR 232 Confidential Assistant (Director, Legislative Affairs and Public Information Staff) to the Administrator, Farmers Home Administration.
- AGR 234 Confidential Assistant to the Administrator, Office of International Cooperation and Development.
- AGR 236 Confidential Assistant to the Administrator, Animal and Plant Health Inspection Service.
- AGR 237 Private Secretary to the Administrator, Agricultural Marketing Service.
- AGR 242 Confidential Assistant to the Assistant Secretary for Congressional Relations.
- AGR 243 Confidential Assistant to the Director, Programs and Planning, Office of Public Affairs.
- AGR 244 Confidential Assistant to the Chief, Soil Conservation Service.
- AGR 247 Private Secretary to the

Inspector General.
 AGR 257 Executive Assistant to the Assistant Secretary for Food and Consumer Services.
 AGR 258 Confidential Assistant to the Administrator, Foreign Agricultural Service.
 AGR 262 Confidential Assistant to the Assistant Secretary for Science and Education.
 AGR 263 Confidential Assistant to the Assistant Secretary for Natural Resources and Environment.
 AGR 266 Confidential Assistant to the Administrator, Food and Nutrition Service.
 AGR 267 Staff Assistant to the Director, Public Liaison, Office of Public Affairs.
 AGR 268 Director of Legislative Affairs and Public Information to the Administrator, Rural Electrification Administration.
 AGR 274 Confidential Assistant to the Chief, Soil Conservation Service.
 AGR 275 Special Assistant to the Secretary.
 AGR 276 Confidential Assistant to the Administrator, Agricultural Research Service.
 AGR 277 Confidential Assistant to the Chief, Soil Conservation Service.
 AGR 281 Confidential Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
 AGR 283 Staff Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
 AGR 284 Confidential Assistant to the Administrator, Food Safety and Inspection Service.
 AGR 285 Staff Assistant to the Secretary.
 AGR 286 Confidential Assistant to the Administrator, Foreign Agricultural Service.
 AGR 287 Confidential Assistant to the Administrator, Foreign Agricultural Service.
 AGR 288 Staff Assistant to the Administrator, Foreign Agricultural Service.
 AGR 289 Confidential Assistant to the Assistant Secretary for Congressional Relations.
 AGR 290 Confidential Assistant to the Administrator, Animal and Plant Health Inspection Service.
 AGR 291 Special Assistant to the General Counsel.
 AGR 293 Confidential Assistant to the Administrator, Foreign Agricultural Service.
 AGR 294 Confidential Assistant to the Administrator, Animal and

Plant Health Inspection Service.
 AGR 295 Confidential Assistant to the Assistant Secretary for Congressional Relations.
 AGR 296 Confidential Assistant to the Assistant Secretary for Congressional Relations.
 AGR 298 Confidential Assistant to the Administrator, Food and Nutrition Service.
 AGR 299 Confidential Assistant to the Administrator, Farmers Home Administration.
 AGR 300 Confidential Assistant to the Manager, Federal Crop Insurance Corporation.
 AGR 301 Confidential Assistant to the Administrator, Food and Nutrition Service.
 AGR 302 Staff Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
 AGR 303 Staff Assistant to the Chief, Soil Conservation Service.
 AGR 304 Staff Assistant to the Administrator, Food and Nutrition Service.
 AGR 305 Staff Assistant to the Director, Office of Advocacy and Enterprise.
 AGR 306 Confidential Assistant to the Press Secretary.
 AGR 307 Staff Assistant to the Director, Publishing and Visual Communications, Office of Public Affairs.
 AGR 308 Confidential Assistant to the Administrator, Agricultural Stabilization and Conservation Service.
 AGR 309 Confidential Assistant to the Chief, Soil Conservation Service.
 AGR 311 Confidential Assistant to the Assistant Secretary for Science and Education.
 AGR 312 Confidential Assistant to the Administrator, Farmers Home Administration.
 AGR 313 Confidential Assistant to the Administrator, Farmers Home Administration.
 AGR 315 Staff Assistant to the Director, Programs and Planning, Office of Public Affairs.
 AGR 316 Confidential Assistant to the Chief, Soil Conservation Service.
 AGR 317 Executive Assistant to the Administrator, Farmers Home Administration.
 AGR 318 Staff Assistant to the Administrator, Foreign Agricultural Service.
 AGR 319 Confidential Assistant to the Deputy Director, Office of Operations.

Section 213.3314 Department of Commerce

COM 3 Deputy to the Chief of Staff.
 COM 4 Confidential Assistant to the Counsellor to the Secretary.
 COM 5 Special Assistant to the Director, Office of White House Liaison.
 COM 12 Confidential Assistant to the Deputy Secretary.
 COM 19 Chauffeur to the Secretary.
 COM 21 Congressional Liaison Officer to the Assistant Secretary for Congressional and Intergovernmental Affairs.
 COM 22 Deputy Director for Congressional Affairs to the Deputy Assistant Secretary for Congressional Affairs.
 COM 70 Director, Office of Congressional Relations, to the Assistant Secretary for Economic Development.
 COM 136 Special Assistant to the Deputy Assistant Secretary for Export Enforcement.
 COM 151 Confidential Assistant to the Chief of Staff.
 COM 158 Director of Public Affairs to the Under Secretary for Travel and Tourism.
 COM 161 Confidential Assistant to the Deputy Under Secretary for International Trade.
 COM 162 Executive Assistant to the Assistant Secretary for International Economic Policy, International Trade Administration.
 COM 173 Special Assistant to the Deputy Assistant Secretary for Economic Development.
 COM 183 Confidential Assistant to the Assistant Secretary for Communications and Information.
 COM 190 Director, Office of Congressional Affairs, to the Assistant Secretary for Communications and Information.
 COM 194 Special Assistant to the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration.
 COM 201 Congressional Liaison Assistant to the Deputy Assistant Secretary for Congressional Affairs.
 COM 204 Special Assistant to the Chief Scientist, National Oceanic and Atmospheric Administration.
 COM 207 Deputy Director for Congressional Affairs to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
 COM 210 Special Assistant to the Assistant Secretary for Oceans and Atmosphere.
 COM 217 Special Assistant to the

- Director, Office of Public Affairs.
- COM 218 Special Assistant to the Assistant Secretary for Oceans and Atmosphere.
- COM 224 Executive Assistant to the Under Secretary for International Trade.
- COM 225 Director, Congressional Affairs Staff, to the Under Secretary for Export Administration.
- COM 227 Confidential Assistant to the Director, Minority Business Development Agency.
- COM 232 Special Assistant to the Assistant Secretary for Economic Development.
- COM 236 Special Assistant to the Secretary.
- COM 248 Special Assistant to the Deputy Secretary.
- COM 257 Confidential Assistant to the Deputy Assistant Secretary for Africa, Near East, and South Asia, International Trade Administration.
- COM 259 Director of Congressional Affairs to the Under Secretary for International Trade.
- COM 263 Confidential Assistant to the Managing Director, Export Promotion Services, International Trade Administration.
- COM 265 Special Assistant to the Deputy Assistant Secretary for Export Administration.
- COM 267 Confidential Assistant to the Assistant Secretary for Export Administration.
- COM 268 Confidential Assistant to the Chief of Staff.
- COM 272 Confidential Assistant to the Assistant Secretary for Trade Development, International Trade Administration.
- COM 273 Confidential Assistant to the Deputy Assistant Secretary for Trade Information and Analysis, International Trade Administration.
- COM 274 Confidential Assistant to the Director, Office of Business Liaison.
- COM 275 Confidential Assistant to the Director, Office of Business Liaison.
- COM 278 Special Assistant to the Under Secretary for Export Administration.
- COM 280 Congressional Liaison Assistant to the Deputy Assistant Secretary for Congressional Affairs.
- COM 282 Special Assistant to the Deputy Director, Office of Congressional Affairs.
- COM 285 Deputy Director, Office of Intergovernmental Affairs, to the Deputy Assistant Secretary for Intergovernmental Affairs.
- COM 287 Congressional Liaison Assistant to the Deputy Assistant Secretary for Congressional Affairs.
- COM 288 Confidential Assistant to the Director, Office of Business Liaison.
- COM 289 Confidential Assistant to the Deputy Assistant Secretary for Intergovernmental Affairs.
- COM 291 Confidential Assistant to the Director, Office of Public Affairs.
- COM 292 Special Assistant to the Deputy Assistant Secretary for Intergovernmental Affairs.
- COM 293 Confidential Assistant to the Deputy Assistant Secretary for Intergovernmental Affairs.
- COM 296 Confidential Assistant to the Deputy Counsellor to the Secretary.
- COM 298 Special Assistant to the Assistant Secretary for Communications and Information.
- COM 302 Special Assistant to the Director, Office of Public Affairs, National Oceanic and Atmospheric Administration.
- COM 303 Confidential Assistant to the Assistant Secretary for Administration.
- COM 304 Special Assistant to the Under Secretary for Travel and Tourism.
- COM 306 Confidential Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs.
- COM 308 Executive Assistant to the Assistant Secretary for Trade Development, International Trade Administration.
- COM 310 Confidential Assistant to the Deputy Under Secretary for Travel and Tourism.
- COM 311 Confidential Assistant to the Director, Office of White House Liaison.
- COM 312 Confidential Assistant to the Director General, U.S. and Foreign Commercial Service.
- COM 314 Special Assistant to the Director, Office of White House Liaison.
- COM 316 Confidential Assistant to the Deputy Assistant Secretary for Trade Information and Analysis, International Trade Administration.
- COM 319 Confidential Assistant to the Deputy Assistant Secretary for Compliance, International Trade Administration.
- COM 320 Confidential Assistant to the Director, Office of External Affairs.
- COM 321 Director, Office of Public Affairs, to the Under Secretary for International Trade.
- COM 324 Director, Office of Policy Coordination, to the Deputy Assistant Secretary for International Economic Policy, International Trade Administration.
- COM 325 Confidential Assistant to the Deputy Assistant Secretary for International Economic Policy, International Trade Administration.
- COM 328 Confidential Assistant to the Deputy Assistant Secretary for Automotive and Consumer Goods, International Trade Administration.
- COM 329 Congressional Liaison Assistant to the Director of Congressional Affairs, International Trade Administration.
- COM 331 Confidential Assistant to the Assistant Secretary for Tourism Marketing.
- COM 332 Confidential Assistant to the Deputy Assistant Secretary for Capital Goods and International Construction, International Trade Administration.
- COM 336 Special Assistant to the Assistant Secretary for Export Enforcement.
- COM 337 Congressional Liaison Assistant to the Deputy Assistant Secretary for Congressional Affairs.
- COM 340 Special Assistant to the Under Secretary for Oceans and Atmosphere.
- COM 342 Confidential Assistant to the Director, Office of White House Liaison.
- COM 345 Confidential Assistant to the Under Secretary for International Trade.
- COM 346 Confidential Assistant to the Director, Office of Executive Programs.
- COM 347 Confidential Assistant to the Director, Office of Public Affairs.
- COM 350 Deputy Director to the Director, Office of Business Liaison.
- COM 351 Confidential Assistant to the Deputy General Counsel.
- COM 352 Confidential Assistant to the Chief of Staff.
- COM 355 Confidential Assistant to the Deputy Assistant Secretary for Export Development.
- COM 356 Confidential Assistant to the Director, Minority Business Development Agency.
- COM 360 Director of Congressional Affairs to the Under Secretary for Economic Affairs.
- COM 363 Congressional Affairs Specialist to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
- COM 365 Confidential Assistant to the Director, Minority Business Development Agency.
- COM 370 Chief of Congressional Affairs to the Director, Minority Business Development Agency.

- COM 371 Confidential Assistant to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
- COM 374 Congressional Affairs Specialist to the Congressional Affairs Advisor, Bureau of the Census.
- COM 376 Confidential Assistant to the Director, Office of White House Liaison.
- COM 378 Congressional Liaison Officer to the Under Secretary for Economic Affairs.
- COM 386 Confidential Assistant to the Deputy Under Secretary for Travel and Tourism.
- COM 390 Confidential Assistant to the Under Secretary for Economic Affairs.
- COM 391 Confidential Assistant to the Chief Economist.
- COM 393 Special Assistant to the Deputy Assistant Secretary for Congressional Affairs.
- COM 395 Confidential Assistant to the Deputy Assistant Secretary for U.S. and Foreign Commercial Service.
- COM 397 Congressional Affairs Advisor to the Director, Bureau of the Census.
- COM 398 Confidential Assistant to the Deputy Assistant Secretary for Domestic Operations, International Trade Administration.
- COM 399 Confidential Assistant to the Deputy Assistant Secretary for Grant Programs, Economic Development Administration.
- COM 400 Confidential Assistant to the Deputy Under Secretary for International Trade.
- COM 401 Congressional Affairs Specialist to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
- COM 405 Confidential Assistant to the Deputy Assistant Secretary for Science and Electronics, International Trade Administration.
- COM 408 Confidential Assistant to the General Counsel.
- COM 409 Confidential Assistant to the Director, Office of External Affairs.
- COM 410 Confidential Assistant to the Director, Office of Public Affairs, International Trade Administration.
- COM 412 Confidential Assistant to the Deputy Assistant Secretary for Trade Information and Analysis, International Trade Administration.
- COM 414 Congressional Affairs Specialist to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
- COM 415 Congressional Affairs Specialist to the Director, Office of Legislative Affairs, National Oceanic and Atmospheric Administration.
- COM 416 Director, Office of Consumer Affairs, to the Director, Office of Public Affairs.
- COM 419 Confidential Assistant to the Under Secretary for International Trade.
- COM 420 Special Assistant to the Director General, U.S. and Foreign Commercial Service.
- COM 421 Confidential Assistant to the Deputy Assistant Secretary for Basic Industries, International Trade Administration.
- COM 423 Director of Congressional Affairs to the Assistant Secretary and Commissioner of Patents and Trademarks.
- COM 425 Director, Office of Public Affairs, to the Under Secretary for Export Administration.
- COM 429 Confidential Assistant to the Director, Office of Executive Programs.
- COM 430 Special Assistant to the Assistant Secretary for Export Administration.
- COM 432 Confidential Assistant to the Director, Office of Commercial Space Programs.
- COM 433 Senior Advisor to the Assistant Administrator for Ocean Services and Coastal Zone Management, National Oceanic and Atmospheric Administration.
- COM 435 Confidential Assistant to the Counselor to the Deputy Secretary.
- COM 436 Director, Office of Private Sector Initiatives, to the Director, Office of Business Liaison.
- COM 438 Confidential Assistant to the Director, Office of Business Liaison.
- COM 439 Special Counsel to the General Counsel.
- COM 440 Confidential Assistant to the Director, Office of Executive Programs.
- COM 441 Special Assistant to the Deputy Under Secretary for Economic Affairs.
- COM 442 Director of Public Affairs to the Assistant Secretary for Communications and Information.
- COM 443 Director, Office of External Affairs, to the Chief of Staff.
- COM 444 Director for Internal Analysis to the Assistant Secretary for Economic Development.
- COM 445 Director, Office of Public Affairs, to the Assistant Secretary for Economic Development.
- COM 446 Special Assistant to the Under Secretary for Export Administration.
- COM 447 Confidential Assistant to the Chief of Staff.
- COM 448 Confidential Assistant to the Assistant Secretary for International Economic Policy, International Trade Administration.
- COM 449 Director, Office of General Industrial Machinery, to the Deputy Assistant Secretary for Capital Goods and International Construction, International Trade Administration.
- COM 450 Special Assistant to the Director, Bureau of the Census.
- COM 452 Confidential Assistant to the Chief of Staff.
- COM 454 Special Assistant to the Assistant Secretary for Technology Policy.
- COM 455 Congressional Liaison Assistant to the Deputy Assistant Secretary for Congressional Affairs.
- COM 456 Confidential Assistant to the Assistant Secretary for Technology Policy.
- COM 459 Confidential Assistant to the Director, Office of External Affairs.
- COM 460 Director, Office of Intergovernmental Affairs, to the Assistant Secretary for Legislative and Intergovernmental Affairs.
- COM 461 Confidential Assistant to the Director, Office of External Affairs.
- COM 462 Deputy Director of Congressional Affairs to the Assistant Secretary and Commissioner of Patents and Trademarks.
- COM 464 Confidential Assistant to the Deputy Assistant Secretary for Loan Programs, Economic Development Administration.
- COM 467 Confidential Assistant to the Director, Office of External Affairs.

Section 213.3315 Department of Labor

- LAB 3 Special Assistant to the Secretary.
- LAB 15 Confidential Assistant to the Assistant Secretary for Employment Standards.
- LAB 17 Special Assistant to the Assistant Secretary for Congressional Affairs.
- LAB 24 Staff Assistant to the Deputy Under Secretary for International Labor Affairs.
- LAB 25 Senior Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 43 Special Assistant to the Assistant Secretary for Occupational Safety and Health.

- LAB 44 Senior Liaison Officer to the Assistant Secretary for Congressional Affairs.
- LAB 55 Special Assistant to the Associate Assistant Secretary for Intergovernmental Affairs.
- LAB 62 Special Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 64 Special Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 66 Special Assistant to the Director, Office of Federal Contract Compliance Programs, Employment Standards Administration.
- LAB 76 Special Assistant to the Director, Women's Bureau.
- LAB 83 Staff Assistant to the Assistant Secretary for Pension and Welfare Benefits.
- LAB 86 Staff Assistant to the Assistant Secretary for Employment Standards.
- LAB 91 Confidential Staff Assistant to the Deputy Under Secretary for Congressional Affairs.
- LAB 93 Special Assistant to the Chief of Staff.
- LAB 99 Special Assistant to the Assistant Secretary for Education and Training.
- LAB 100 Special Assistant to the Deputy Under Secretary for International Labor Affairs.
- LAB 103 Secretary's Representative.
- LAB 104 Secretary's Representative.
- LAB 105 Secretary's Representative.
- LAB 107 Secretary's Representative.
- LAB 108 Secretary's Representative.
- LAB 109 Secretary's Representative.
- LAB 110 Secretary's Representative.
- LAB 111 Secretary's Representative.
- LAB 112 Secretary's Representative.
- LAB 115 Secretary (Typing) to the Secretary's Representative.
- LAB 116 Secretary (Typing) to the Secretary's Representative.
- LAB 122 Assistant to the Secretary's Representative.
- LAB 125 Special Assistant to the Assistant Secretary for Employment Standards.
- LAB 126 Special Assistant to the Assistant Secretary for Employment Standards.
- LAB 127 Staff Assistant to the Director, Office of Workers' Compensation Programs, Employment Standards Administration.
- LAB 129 Special Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 130 Special Assistant to the Secretary.
- LAB 131 Special Assistant to the Assistant Secretary for Employment and Training.
- LAB 132 Senior Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 133 Special Assistant to the Director, Women's Bureau.
- LAB 139 Executive Assistant to the Administrator, Wage and Hour Division, Employment Standards Administration.
- LAB 145 Executive Assistant to the Assistant Secretary for Congressional Affairs.
- LAB 146 Confidential Assistant to the Solicitor.
- LAB 150 Secretary (Typing) to the Director, Women's Bureau.
- LAB 153 Staff Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 154 Senior Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 160 Confidential Assistant to the Secretary.
- LAB 169 Special Assistant to the Deputy Assistant Secretary for Program Economics and Research and Technical Support.
- LAB 171 Staff Assistant to the Secretary.
- LAB 172 Confidential Assistant to the Deputy Secretary.
- LAB 179 Executive Assistant to the Assistant Secretary for Employment Standards.
- LAB 180 Senior Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 181 Staff Assistant to the Deputy Under Secretary for International Labor Affairs.
- LAB 183 Staff Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 186 Special Assistant to the Director, Women's Bureau.
- LAB 189 Special Assistant to the Assistant Secretary for Occupational Safety and Health.
- LAB 190 Special Assistant to the Assistant Secretary for Policy.
- LAB 191 Staff Assistant to the Assistant Secretary for Policy.
- LAB 195 Special Assistant to the Assistant Secretary for Employment and Training.
- LAB 196 Executive Assistant to the Assistant Secretary for Veterans' Employment and Training.
- LAB 199 Deputy Legislative Officer to the Associate Assistant Secretary for Congressional Affairs.
- LAB 200 Special Assistant (Speech Writer) to the Assistant Secretary for Employment and Training.
- LAB 204 Special Assistant to the Assistant Secretary for Veterans' Employment and Training.
- LAB 205 Deputy Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 208 Deputy Legislative Officer to the Assistant Secretary for Congressional Affairs.
- LAB 209 Confidential Assistant to the Assistant Secretary for Veterans' Employment and Training.
- LAB 210 Special Assistant to the Assistant Secretary for Policy.
- LAB 212 Staff Assistant to the Secretary.
- LAB 213 Special Assistant to the Assistant Secretary for Employment and Training.
- LAB 217 Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
- LAB 219 Special Assistant to the Director, Office of Intergovernmental Affairs.
- LAB 220 Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
- LAB 221 Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
- LAB 224 Staff Assistant to the Assistant Secretary for Mine Safety and Health.
- LAB 226 Confidential Assistant to the Assistant Secretary for Pension and Welfare Benefits.
- LAB 229 Staff Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
- LAB 231 Staff Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
- LAB 232 Special Assistant to the Director, Office of Federal Contract Compliance Programs, Employment Standards Administration.
- LAB 233 Staff Assistant to the Director, Office of Federal Contract Compliance Programs, Employment Standards Administration.
- LAB 234 Senior Liaison Officer to the Deputy Under Secretary for Congressional Affairs.
- LAB 238 Assistant to the Secretary's Representative.
- LAB 240 Assistant to the Secretary's Representative.
- LAB 241 Special Assistant to the Director, Office of Information and Public Affairs.
- LAB 243 Staff Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs.
- LAB 245 Assistant to the Secretary's Representative.
- LAB 246 Assistant to the Secretary's Representative.
- LAB 247 Staff Assistant to the Associate Assistant Secretary for

Congressional Affairs.
 LAB 248 Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
 LAB 249 Assistant to the Secretary's Representative.
 LAB 251 Staff Assistant to the Assistant Secretary for Mine Safety and Health.
 LAB 252 Special Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
 LAB 253 Staff Assistant to the Secretary.
 LAB 254 Senior Legislative Officer to the Assistant Secretary for Congressional Affairs.
 LAB 255 Staff Assistant to the Assistant Secretary for Public and Intergovernmental Affairs.
 LAB 256 Staff Assistant to the Assistant Secretary for Labor Management Standards.
 LAB 257 Special Assistant to the Assistant Secretary for Labor Management Standards.
 LAB 258 Deputy Secretary's Representative.
 LAB 260 Special Assistant to the Assistant Secretary for Public Affairs.
 LAB 261 Staff Assistant to the Deputy Assistant Secretary for Mine Safety and Health.
 LAB 262 Staff Assistant to the Assistant Secretary for Employment Standards.
 LAB 264 Staff Assistant to the Administrator, Wage and Hour Division, Employment Standards Administration.
 LAB 265 Special Assistant for Public Affairs to the Director, Office of Federal Contract Compliance Programs, Employment Standards Administration.
 LAB 266 Staff Assistant to the Deputy Under Secretary for International Labor Affairs.

Section 213.3316 Department of Health and Human Services.

HHS 5 Writer to the Secretary.
 HHS 14 Special Assistant to the Executive Secretary.
 HHS 17 Director, Scheduling, Security, and Protection, to the Secretary.
 HHS 31 Special Assistant to the Secretary.
 HHS 119 Confidential Secretary to the General Counsel.
 HHS 167 Executive Director, Federal Council on Aging, to the Assistant Secretary for Human Development Services.
 HHS 213 Steward to the Secretary.
 HHS 233 Confidential Assistant to the Director, Office of Consumer

Affairs.
 HHS 264 Special Assistant to the Secretary.
 HHS 276 Special Assistant for Liaison to the Associate Commissioner for Legislative Affairs, Food and Drug Administration.
 HHS 305 Special Assistant to the Deputy Under Secretary for Intergovernmental Affairs, Boards and Commissions.
 HHS 330 Special Assistant to the Director, Office of Consumer Affairs.
 HHS 331 Special Assistant to the Administrator, Health Care Financing Administration.
 HHS 340 Executive Assistant to the Assistant Secretary for Legislation.
 HHS 353 Confidential Assistant to the Deputy Under Secretary for Intergovernmental Affairs, Boards and Commissions.
 HHS 358 Congressional Liaison Specialist to the Deputy Assistant Secretary for Legislation (Congressional Liaison).
 HHS 359 Congressional Liaison Specialist to the Deputy Assistant Secretary for Legislation (Congressional Liaison).
 HHS 363 Special Assistant to the Director, Office of Public Affairs, Office of Human Development Services.
 HHS 371 Confidential Assistant to the Executive Assistant to the Secretary.
 HHS 372 Special Assistant to the Director, Office of Policy, Planning and Legislation, Office of Human Development Services.
 HHS 374 Confidential Assistant to the Executive Secretary.
 HHS 375 Special Assistant to the Deputy Under Secretary for Intergovernmental Affairs, Boards and Commissions.
 HHS 394 Confidential Assistant to the Executive Secretary.
 HHS 406 Special Assistant to the Assistant Secretary for Health.
 HHS 415 Confidential Assistant to the Secretary.
 HHS 424 Staff Assistant (Scheduling) to the Secretary.
 HHS 435 Executive Assistant to the Director, Office of Child Support Enforcement.
 HHS 436 Associate Commissioner for Family and Youth Services to the Commissioner, Administration for Children, Youth and Families.
 HHS 442 Director, Office of Adolescent Pregnancy Programs, to the Deputy Assistant Secretary for Population Affairs.
 HHS 448 Staff Assistant to the

Associate Commissioner for Public Affairs, Social Security Administration.
 HHS 449 Deputy Director, Office of Refugee Resettlement.
 HHS 451 Confidential Staff Assistant to the Director, Office of Community Services, Family Support Administration.
 HHS 457 Special Assistant to the Under Secretary.
 HHS 462 Special Assistant for Liaison Activities to the Administrator, Alcohol, Drug Abuse and Mental Health Administration, Public Health Service.
 HHS 468 Deputy Director, Office of Community Services, Family Support Administration.
 HHS 473 Director, Office of Policy, Planning, and Legislation, to the Assistant Secretary for Human Development Services.
 HHS 479 Special Assistant to the Associate Commissioner for Public Affairs, Food and Drug Administration.
 HHS 495 Confidential Staff Assistant to the Associate Administrator, Office of Communications, Family Support Administration.
 HHS 497 Special Assistant to the Director, Office of Community Services, Family Support Administration.
 HHS 506 Congressional Relations Specialist to the Deputy Commissioner for Policy and External Affairs, Social Security Administration.
 HHS 510 Deputy Director, Office of Public Liaison, Health Care Financing Administration.
 HHS 511 Special Assistant to the Associate Commissioner, Head Start Bureau, Administration for Children, Youth and Families.
 HHS 523 Special Assistant to the Assistant Secretary for Health.
 HHS 524 Private Sector Initiatives Coordinator to the Deputy Assistant Secretary for Health (Disease Prevention and Health Promotion).
 HHS 525 Special Assistant for Legislative Affairs to the Director, Office of Child Support Enforcement.
 HHS 526 Confidential Staff Assistant to the Administrator, Health Care Financing Administration.
 HHS 527 Staff Assistant (Scheduling) to the Director, Scheduling, Security and Protection.
 HHS 528 Special Assistant to the Deputy Assistant Secretary for Human Development Services.

HHS 530 Congressional Liaison Specialist to the Deputy Assistant Secretary for Legislation (Congressional Liaison).
 HHS 531 Special Assistant to the Assistant Secretary for Management and Budget.
 HHS 532 Special Assistant to the Commissioner, Social Security Administration.
 HHS 533 Special Assistant to the Commissioner, Social Security Administration.
 HHS 534 Confidential Assistant to the Executive Secretary.
 HHS 535 Special Assistant to the Assistant Secretary for Health.
 HHS 536 Confidential Staff Assistant to the Assistant Secretary for Health.
 HHS 537 Special Assistant to the Associate Commissioner, Office of Public Affairs, Social Security Administration.
 HHS 538 Special Assistant to the Deputy Commissioner for Programs, Social Security Administration.
 HHS 539 Special Assistant to the General Counsel.
 HHS 541 Director, Office of State and Project Assistance, to the Director, Office of Community Services, Family Support Administration.
 HHS 542 Special Assistant to the Commissioner, Administration for Children, Youth and Families.
 HHS 543 Special Assistant to the Commissioner, Food and Drug Administration.
 HHS 544 Special Assistant to the Deputy Assistant Secretary for Population Affairs.
 HHS 545 Special Assistant to the Associate Commissioner for Public Affairs, Food and Drug Administration.
 HHS 546 Special Assistant to the Associate Commissioner, Office of Public Affairs, Social Security Administration.
 HHS 547 Confidential Assistant to the Associate Commissioner, Office of Public Affairs, Social Security Administration.
 HHS 548 Confidential Assistant to the Director, Office of State and Project Assistance, Family Support Administration.
 HHS 549 Speechwriter to the Assistant Secretary for Public Affairs.
 HHS 551 Special Assistant for Legislative Affairs to the Associate Commissioner for Legislative Affairs, Food and Drug Administration.
 HHS 552 Director, Office of External Affairs, to the Associate

Commissioner, Office of Public Affairs, Social Security Administration.
 HHS 553 Director of Communications to the Deputy Assistant Secretary for Public Affairs (Policy and Communications).
 HHS 555 Legislative Liaison to the Associate Commissioner, Office of Legislation and Congressional Affairs, Social Security Administration.

Section 213.3317 Department of Education

EDU 1 Special Assistant to the Deputy Under Secretary for Planning, Budget, and Evaluation.
 EDU 5 Confidential Assistant to the Under Secretary.
 EDU 6 Confidential Assistant to the Executive Secretary.
 EDU 8 Confidential Assistant to the Assistant Secretary, Office of Civil Rights.
 EDU 9 Special Assistant to the Assistant Secretary for Elementary and Secondary Education.
 EDU 11 Confidential Assistant to the Assistant Secretary for Educational Research and Improvement.
 EDU 12 Confidential Assistant to the Assistant Secretary for Vocational and Adult Education.
 EDU 14 Special Assistant to the Deputy Under Secretary for Management.
 EDU 15 Special Assistant to the Deputy Under Secretary for Management.
 EDU 20 Steward to the Chief of Staff/Counselor to the Secretary.
 EDU 33 Special Assistant to the Assistant Secretary for Elementary and Secondary Education.
 EDU 38 Special Assistant to the Assistant Secretary for Postsecondary Education.
 EDU 46 Special Assistant to the Assistant Secretary for Vocational and Adult Education.
 EDU 47 Confidential Assistant to the Director, Fund for the Improvement and Reform of Schools and Teaching.
 EDU 55 Special Assistant to the Director, Intergovernmental Affairs Staff, Office of Intergovernmental and Interagency Affairs.
 EDU 63 Special Assistant to the Under Secretary.
 EDU 65 Confidential Assistant to the Executive Assistant to the Under Secretary.
 EDU 67 Special Assistant to the Chief of Staff/Counselor to the Secretary.
 EDU 74 Executive Assistant to the

Assistant Secretary for Legislation.
 EDU 82 Executive Assistant to the Deputy Under Secretary for Planning, Budget, and Evaluation.
 EDU 84 Confidential Assistant to the Director, Division of Special Education, Rehabilitative Services and Research Analysis, Office of Planning, Budget, and Evaluation.
 EDU 89 Special Assistant to the Assistant Secretary for Elementary and Secondary Education.
 EDU 90 Special Assistant to the Assistant Secretary for Vocational and Adult Education.
 EDU 91 Special Assistant to the Assistant Secretary for Civil Rights.
 EDU 93 Confidential Assistant to the Deputy Assistant Secretary for Student Financial Assistance Programs.
 EDU 105 Secretary's Regional Representative.
 EDU 106 Secretary's Regional Representative.
 EDU 107 Secretary's Regional Representative.
 EDU 108 Secretary's Regional Representative.
 EDU 109 Secretary's Regional Representative.
 EDU 110 Secretary's Regional Representative.
 EDU 111 Secretary's Regional Representative.
 EDU 113 Special Assistant to the Director, Division of Adult Education and Literacy, Office of Vocational and Adult Education.
 EDU 116 Special Assistant to the Assistant Secretary for Postsecondary Education.
 EDU 117 Director, Historically Black Colleges and Universities, to the Assistant Secretary for Postsecondary Education.
 EDU 121 Special Assistant to the Assistant Secretary for Special Education and Rehabilitative Services.
 EDU 123 Special Assistant to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
 EDU 124 Secretary's Regional Representative.
 EDU 129 Director, Center for International Education, to the Deputy Assistant Secretary for Higher Education Programs.
 EDU 131 Secretary's Regional Representative.
 EDU 133 Special Assistant to the Deputy Under Secretary for Planning, Budget and Evaluation.
 EDU 135 Confidential Assistant to the Assistant Secretary for Educational Research and

- Improvement.
- EDU 136 Confidential Assistant to the Director, Office of Bilingual Education and Minority Languages Affairs.
- EDU 137 Special Assistant to the Comptroller.
- EDU 138 Special Assistant to the Administrator for Management Services.
- EDU 140 Special Assistant to the Deputy Assistant Secretary for Operations, Office of Civil Rights.
- EDU 147 Secretary's Regional Representative.
- EDU 154 Executive Director, Intergovernmental Advisory Council on Education, to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 158 Special Assistant to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 159 Confidential Assistant to the Assistant Secretary for Postsecondary Education.
- EDU 161 Special Assistant to the Deputy Assistant Secretary for Higher Education Programs, Office of Postsecondary Education.
- EDU 162 Special Assistant to the Assistant Secretary for Elementary and Secondary Education.
- EDU 163 Confidential Assistant to the Deputy Assistant Secretary for Student Financial Assistance Programs.
- EDU 168 Special Assistant to the Under Secretary.
- EDU 171 Director, Legislative Liaison, to the Deputy Assistant Secretary for Legislation.
- EDU 173 Confidential Assistant to the Assistant Secretary for Civil Rights.
- EDU 185 Staff Assistant to the Secretary's Regional Representative.
- EDU 186 Staff Assistant to the Secretary's Regional Representative.
- EDU 193 Executive Secretary to the Chief of Staff/Counsellor to the Secretary.
- EDU 196 Special Assistant to the Assistant Secretary for Special Education and Rehabilitative Services.
- EDU 200 Director, Intergovernmental Affairs, to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 202 Confidential Assistant to the Director, Intergovernmental Affairs.
- EDU 203 Confidential Assistant to the Executive Assistant to the Under Secretary.
- EDU 207 Director, Regional Liaison Staff, to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 209 Special Assistant to the Assistant Secretary for Educational Research and Improvement.
- EDU 220 Confidential Assistant to the Director, Recognition Division, Office of Educational Research and Improvement.
- EDU 223 Confidential Assistant to the Chief of Staff/Counsellor to the Secretary.
- EDU 228 Confidential Assistant to the Director, Public Affairs Service, Office of Planning, Budget, and Evaluation.
- EDU 238 Confidential Assistant to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 240 Confidential Assistant to the Assistant Secretary for Civil Rights.
- EDU 241 Director, Division of Adult Education and Literacy, to the Assistant Secretary for Vocational and Adult Education.
- EDU 243 Special Assistant to the Administrator for Management Services.
- EDU 244 Confidential Assistant to the Director, Private Sector Initiative Staff.
- EDU 245 Confidential Assistant to the Chief of Staff/Counsellor to the Secretary.
- EDU 256 Special Assistant to the Director, Legislative Liaison Staff, Office of Legislation.
- EDU 258 Special Assistant to the Chief of Staff/Counsellor to the Secretary.
- EDU 259 Confidential Assistant to the Director, Office of Bilingual Education and Minority Languages Affairs.
- EDU 262 Director, Interagency Operations Staff, to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 275 Confidential Assistant to the Assistant Secretary for Vocational and Adult Education.
- EDU 280 Executive Assistant to the Assistant Secretary for Elementary and Secondary Education.
- EDU 287 Confidential Assistant to the Deputy Assistant Secretary for Student Financial Assistance Programs.
- EDU 289 Confidential Assistant to the Director, Scheduling and Briefing.
- EDU 293 Special Assistant to the General Counsel.
- EDU 296 Confidential Assistant to the Director, Scheduling and Briefing.
- EDU 297 Confidential Assistant to the Director, Scheduling and Briefing.
- EDU 304 Confidential Assistant to the Executive Assistant, Private Education Staff.
- EDU 310 Special Assistant to the Deputy Under Secretary for Intergovernmental and Interagency Affairs.
- EDU 311 Confidential Assistant to the Assistant Secretary for Elementary and Secondary Education.
- EDU 313 Special Assistant to the Deputy Under Secretary for Management.
- EDU 314 Confidential Assistant to the Deputy Assistant Secretary for Legislation.
- EDU 315 Confidential Assistant to the Deputy Assistant Secretary for Legislation.
- EDU 317 Confidential Assistant to the Deputy Under Secretary for Management.
- EDU 318 Special Assistant to the Director, Interagency Operations Staff, Office of Intergovernmental and Interagency Affairs.
- EDU 321 Confidential Assistant to the Director, Scheduling and Briefing.
- EDU 324 Special Assistant to the Deputy Under Secretary for Planning, Budget, and Evaluation.
- EDU 325 Director, Scheduling and Briefing Staff, to the Chief of Staff/Counselor to the Secretary.
- EDU 326 Special Assistant to the Deputy Assistant Secretary for Higher Education Programs, Office of Postsecondary Education.
- EDU 330 Special Assistant to the Secretary's Regional Representative.
- EDU 332 Confidential Assistant to the Director, Scheduling and Briefing.
- EDU 333 Confidential Assistant to the Director, Fund for the Improvement and Reform of Schools and Teaching, Office of Educational Research and Improvement.
- EDU 334 Special Assistant to the Director, Fund for the Improvement and Reform of Schools and Teaching, Office of Educational Research and Improvement.
- EDU 336 Staff Assistant to the Director, Regional Liaison Staff.
- EDU 337 Confidential Assistant to the Assistant Secretary for Elementary and Secondary

Education.

- EDU 338 Confidential Assistant to the Assistant Secretary for Vocational and Adult Education.
- EDU 339 Special Assistant to the Director, Fund for the Improvement and Reform of Schools and Teaching, Office of Educational Research and Improvement.
- EDU 340 Deputy Secretary's Regional Representative.
- EDU 341 Confidential Assistant to the Deputy Under Secretary for Management.
- EDU 343 Confidential Assistant to the Secretary's Regional Representative.
- EDU 344 Confidential Assistant to the Comptroller.
- EDU 345 Confidential Assistant to the Assistant Secretary for Civil Rights.
- EDU 348 Deputy Secretary's Regional Representative.
- EDU 347 Deputy Secretary's Regional Representative.
- EDU 348 Deputy Secretary's Regional Representative.
- EDU 349 Special Assistant to the Director, Public Affairs Service, Office of Planning, Budget and Evaluation.
- EDU 350 Deputy Secretary's Regional Representative.

Section 213.3318 Environmental Protection Agency

- EPA 5 Confidential Assistant to the Deputy Administrator.
- EPA 18 Special Assistant to the Deputy Administrator.
- EPA 19 Associate Assistant Administrator to the Assistant Administrator for Water.
- EPA 41 Staff Assistant to the Associate Administrator for Communications and Public Affairs.
- EPA 53 Special Assistant to the Deputy Administrator.
- EPA 54 Congressional Liaison Specialist to the Director, Office of Congressional Liaison.
- EPA 55 Special Assistant to the Administrator.
- EPA 58 Director, Congressional Liaison Division, to the Associate Administrator for Congressional and Legislative Affairs.
- EPA 61 Special Assistant to the Assistant Administrator for Administration and Resources Management.
- EPA 62 Congressional Liaison Specialist to the Director, Office of Congressional Liaison.
- EPA 64 Congressional Liaison Specialist to the Director, Congressional Liaison Division.
- EPA 73 Congressional Relations

Officer to the Director, Office of Congressional Liaison.

- EPA 94 Special Assistant to the Regional Administrator.
- EPA 98 Special Assistant to the Associate Administrator for Communications and Public Affairs.
- EPA 99 Special Assistant to the Associate Assistant Administrator for Administration and Resources Management.
- EPA 117 Staff Assistant to the Director, Office of Communications and Intergovernmental Relations.
- EPA 118 Staff Assistant to the Assistant Administrator for Enforcement and Compliance Monitoring.
- EPA 119 Staff Assistant to the Administrator.
- EPA 120 Staff Assistant to the Administrator.
- EPA 121 Special Assistant to the Associate Administrator for International Activities.
- EPA 122 Congressional Liaison Specialist to the Director, Office of Congressional Liaison.
- EPA 124 Deputy Associate Administrator to the Associate Administrator for Regional Operations and State/Local Relations.
- EPA 125 Director, Regional Operations Division, to the Associate Administrator for Regional Operations and State/Local Relations.

Section 213.3319 Administrative Conference of the United States

- ACUS 2 Confidential Assistant to the Chairman.
- ACUS 4 Confidential Assistant to the Chairman.

Section 213.3322 Interstate Commerce Commission

- ICC 1 Confidential Assistant to a Commissioner.
- ICC 3 Confidential Assistant to a Commissioner.
- ICC 6 Confidential Assistant to a Commissioner.
- ICC 27 Staff Advisor (Economics) to a Commissioner.
- ICC 29 Staff Advisor (Management) to a Commissioner.
- ICC 48 Congressional Liaison Representative to the Director, Office of Government and Public Affairs.
- ICC 49 Associate Director for Intergovernmental Affairs to the Director, Office of External Affairs.
- ICC 50 Staff Assistant to the Director, Office of External Affairs.
- ICC 51 Special Assistant to the Director, Office of Congressional

and Legislative Affairs.

Section 213.3325 Tax Court of the United States.

- TCOUS 40 Secretary and Confidential Assistant to the Judge.
- TCOUS 41 Secretary and Confidential Assistant to the Judge.
- TCOUS 42 Secretary and Confidential Assistant to the Judge.
- TCOUS 43 Secretary and Confidential Assistant to the Judge.
- TCOUS 44 Secretary and Confidential Assistant to the Judge.
- TCOUS 46 Secretary and Confidential Assistant to the Judge.
- TCOUS 47 Secretary and Confidential Assistant to the Judge.
- TCOUS 48 Secretary and Confidential Assistant to the Judge.
- TCOUS 49 Secretary and Confidential Assistant to the Judge.
- TCOUS 50 Secretary and Confidential Assistant to the Judge.
- TCOUS 51 Secretary and Confidential Assistant to the Judge.
- TCOUS 52 Secretary and Confidential Assistant to the Judge.
- TCOUS 53 Secretary and Confidential Assistant to the Judge.
- TCOUS 54 Secretary and Confidential Assistant to the Judge.
- TCOUS 55 Secretary and Confidential Assistant to the Judge.
- TCOUS 56 Secretary and Confidential Assistant to the Judge.
- TCOUS 57 Secretary and Confidential Assistant to the Judge.
- TCOUS 58 Secretary and Confidential Assistant to the Judge.
- TCOUS 59 Secretary and Confidential Assistant to the Judge.
- TCOUS 60 Secretary and Confidential Assistant to the Judge.
- TCOUS 61 Secretary and Confidential Assistant to the Judge.
- TCOUS 62 Secretary and Confidential Assistant to the Judge.
- TCOUS 63 Secretary and Confidential Assistant to the Judge.
- TCOUS 64 Secretary and Confidential Assistant to the Judge.
- TCOUS 65 Secretary and Confidential Assistant to the Judge.
- TCOUS 66 Trial Clerk to the Judge.
- TCOUS 70 Trial Clerk to the Judge.
- TCOUS 71 Trial Clerk to the Judge.
- TCOUS 72 Trial Clerk to the Judge.
- TCOUS 73 Trial Clerk to the Judge.
- TCOUS 74 Trial Clerk to the Judge.
- TCOUS 75 Trial Clerk to the Judge.
- TCOUS 77 Trial Clerk to the Judge.
- TCOUS 78 Trial Clerk to the Judge.
- TCOUS 79 Trial Clerk to the Judge.

Section 213.3327 Department of Veterans Affairs

- VA 2 Special Assistant to the

Assistant Secretary for Human Resources and Administration.
 VA 5 Special Assistant to the Principal Deputy Assistant Secretary for Acquisition and Facilities.
 VA 11 Special Assistant to the Assistant Secretary for Information Resources.
 VA 14 Special Assistant to the Director, National Cemetery System.
 VA 50 Special Assistant to the Secretary.
 VA 51 Director, Intergovernmental Affairs, to the Deputy Assistant Secretary for Veterans Liaison.
 VA 52 Special Assistant to the Assistant Secretary for Finance and Planning.
 VA 53 Special Assistant to the Assistant Secretary for Human Resources and Administration.
 VA 54 Special Assistant to the Assistant Secretary for Veterans Liaison and Program Coordination.
 VA 55 Special Assistant to the Deputy Assistant Secretary for Congressional Affairs.

Section 213.3328 United States Information Agency

USIA 12 Special Assistant to the Director, Office of Congressional Liaison.
 USIA 14 Special Assistant to the Associate Director for Programs.
 USIA 22 Director, New York Foreign Press Center, to the Associate Director for Programs.
 USIA 26 Staff Assistant to the Associate Director for Programs.
 USIA 29 Public Affairs Specialist to the Deputy Counselor for Press and Public Affairs.
 USIA 34 Staff Assistant to the Director, Office of Private Sector Programs.
 USIA 37 Staff Specialist to the Director, Office of Private Sector Programs, Bureau of Educational and Cultural Affairs.
 USIA 45 Special Assistant to the Associate Director for Programs.
 USIA 57 Special Assistant to the Director, Office of International Visitors, Bureau of Educational and Cultural Affairs.
 USIA 67 Chief, Voluntary Visitor Division, to the Associate Director for Educational and Cultural Affairs.
 USIA 73 Executive Assistant (Cultural Property) to the Director, Creative Arts Division, Bureau of Educational and Cultural Affairs.
 USIA 77 Special Assistant to the Associate Director for Management.
 USIA 87 Staff Assistant to the

Director, Office of Public Liaison.
 USIA 91 Program Officer to the Coordinator, U.S.-Soviet Exchange Initiative.
 USIA 93 Program Assistant to the Deputy Director.
 USIA 98 Special Assistant to the Director.
 USIA 101 Program Officer to the Director, New York Foreign Press Center.
 USIA 102 Special Assistant to the Director, Private Sector Committees.
 USIA 103 Equal Employment Manager to the Associate Director for Management.
 USIA 104 Special Assistant to the Director, Private Sector Committees.
 USIA 105 Special Assistant to the Director, Television and Film Service.
 USIA 106 Special Assistant to the Associate Director for Educational and Cultural Affairs.
 USIA 108 Special Assistant to the Director, Office of Private Sector Programs, Bureau of Educational and Cultural Affairs.
 USIA 110 Staff Assistant to the Director, Office of Public Liaison.
 USIA 111 Special Assistant to the Associate Director for Programs.
 USIA 112 Special Assistant to the Director, Office of Program Coordination and Development.

Section 213.3330 Securities and Exchange Commission

SEC 3 Confidential Assistant to a Commissioner.
 SEC 8 Secretary (Steno) to the Chief Accountant.
 SEC 12 Supervisory Public Affairs Specialist to the Chairman.
 SEC 15 Secretary (Steno) to the Director, Division of Market Regulation.
 SEC 18 Secretary (Steno) to the Director, Division of Investment Management.
 SEC 19 Secretary (Typing) to the Director, Division of Corporation Finance.
 SEC 22 Staff Assistant to the Regional Administrator.
 SEC 23 Confidential Assistant to the Regional Administrator.
 SEC 25 Research Specialist to the Chairman.

Section 213.3331 Department of Energy

DOE 40 Legal Advisor to a Member, Federal Energy Regulatory Commission.
 DOE 41 Legal Advisor to a Member, Federal Energy Regulatory Commission.
 DOE 60 Confidential Assistant to a

Member, Federal Energy Regulatory Commission.
 DOE 77 Staff Assistant to the Secretary.
 DOE 103 Legal Advisor (Public Utilities), to the Chairman, Federal Energy Regulatory Commission.
 DOE 105 Confidential Assistant to a Member, Federal Energy Regulatory Commission.
 DOE 106 Confidential Assistant to a Member, Federal Energy Regulatory Commission.
 DOE 108 Confidential Assistant to the Chief of Staff.
 DOE 174 Special Assistant to the Assistant Secretary for Fossil Energy.
 DOE 175 Staff Assistant to the Assistant Secretary for Conservation and Renewable Energy.
 DOE 185 Confidential Assistant to the Director, Press Services, Federal Energy Regulatory Commission.
 DOE 186 Special Assistant to the Director, Public Affairs Division, Federal Energy Regulatory Commission.
 DOE 200 Special Assistant to the Deputy Secretary.
 DOE 212 Staff Assistant to the Assistant Secretary for Nuclear Energy.
 DOE 214 Staff Assistant to the Chief of Staff.
 DOE 230 Staff Assistant to the Chief of Staff.
 DOE 250 Director, Public and Intergovernmental Affairs Division, to the Director, Office of External Affairs, Federal Energy Regulatory Commission.
 DOE 251 Special Assistant to the Director, Congressional Affairs Division, Federal Energy Regulatory Commission.
 DOE 267 Executive Assistant for Business and Education Programs to the Director, Office of Minority Economic Impact.
 DOE 285 Executive Assistant to the Secretary.
 DOE 292 Chauffeur to the Secretary.
 DOE 314 Staff Assistant to the Assistant Secretary for International Affairs and Energy Emergencies.
 DOE 323 Special Assistant to the Assistant Secretary for Fossil Energy.
 DOE 331 Staff Assistant to the Assistant Secretary for Management and Administration.
 DOE 353 Director, Office of Special Projects, to the Deputy Assistant Secretary and Staff Director for Management and Administration.

- DOE 363 Staff Assistant to the Deputy General Counsel for Environment, Conservation, and Legislation.
- DOE 264 Staff Assistant to the General Counsel.
- DOE 365 Staff Assistant to the Director, Office of Public Affairs.
- DOE 367 Staff Assistant to the Assistant Secretary for Nuclear Energy.
- DOE 369 Staff Assistant to the Deputy Assistant Secretary for Energy Emergencies.
- DOE 370 Staff Assistant to the Chief of Staff.
- DOE 371 Staff Assistant to the General Counsel.
- DOE 373 Staff Assistant to the Assistant Secretary for Fossil Energy.
- DOE 374 Staff Assistant to the Assistant Secretary for Fossil Energy.
- DOE 376 Staff Assistant to the Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 377 Staff Assistant to the Principal Deputy Assistant Secretary for Conservation and Renewable Energy.
- DOE 380 Staff Assistant to the Assistant Secretary for Nuclear Energy.
- DOE 381 Staff Assistant to the Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 382 Staff Assistant to the Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 383 Staff Assistant to the Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 384 Staff Assistant to the Deputy Under Secretary for Policy, Planning and Analysis.
- DOE 385 Staff Assistant to the Deputy Under Secretary for Policy, Planning and Analysis.
- DOE 387 Staff Assistant to the Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 389 Staff Assistant to the Director, Office of Civilian Radioactive Waste Management.
- DOE 390 Staff Assistant to the Director, Office of Civilian Radioactive Waste Management.
- DOE 393 Staff Assistant to the Chief of Staff.
- DOE 396 Staff Assistant to the Assistant Secretary for Management and Administration.
- DOE 397 Staff Assistant to the Principal Deputy Assistant Secretary for International Affairs and Energy Emergencies.
- DOE 400 Public Affairs Specialist to the Director, Office of Public Affairs.
- DOE 401 Special Assistant to the Deputy Under Secretary for Policy, Planning and Analysis.
- DOE 402 Legislative Affairs Specialist to the Deputy Assistant Secretary for Senate Liaison.
- DOE 406 Director, Office of Consumer and Public Liaison, to the Deputy Assistant Secretary for Intergovernmental and Public Liaison.
- DOE 408 Legislative Affairs Specialist to the Deputy Assistant Secretary for House Liaison.
- DOE 409 Public Affairs Specialist to the Director, Office of Public Affairs.
- DOE 410 Legislative Affairs Specialist to the Deputy Assistant Secretary for Senate Liaison.
- DOE 412 Public Liaison Specialist to the Deputy Assistant Secretary for Intergovernmental and Public Liaison.
- DOE 413 Legislative Affairs Specialist to the Deputy Assistant Secretary for House Liaison.
- DOE 414 Special Assistant to the Deputy Secretary.
- DOE 415 Special Assistant to the General Counsel.
- DOE 416 Staff Assistant to the Assistant Secretary for Fossil Energy.
- DOE 417 Staff Assistant to the Executive Assistant to the Secretary.
- DOE 420 Staff Assistant to the Director, Office of Public Affairs.
- DOE 422 Intergovernmental Affairs Specialist to the Deputy Assistant Secretary for Intergovernmental and Public Liaison.
- DOE 423 Staff Assistant to the Assistant Secretary for Environment, Safety and Health.
- DOE 424 Staff Assistant to the Principal Deputy Assistant Secretary for Fossil Energy.
- DOE 430 Senior Policy Specialist to the Director, Office of New Production Reactors.
- DOE 434 Staff Assistant to the Director, Office of Energy Research.
- DOE 437 Staff Assistant to the Director, Office of Public Affairs.
- DOE 438 Staff Assistant to the Director of Administration and Human Resource Management.
- DOE 439 Staff Assistant to the Deputy Secretary.
- DOE 441 Staff Assistant to the Chief of Staff.
- DOE 444 Staff Assistant to the Director, Office of Energy Research.
- DOE 447 Special Assistant to the Assistant Secretary for Defense Programs.
- DOE 448 Staff Assistant to the Director, Office of Energy Research.
- DOE 449 Senior Program Analyst to the Principal Deputy Assistant Secretary for Congressional and Intergovernmental Affairs.
- DOE 451 Staff Assistant to the Assistant Secretary for Management and Administration.
- DOE 452 Staff Assistant to the Assistant Secretary for Conservation and Renewable Energy.
- DOE 453 Senior Program Analyst to the Principal Deputy Assistant Secretary for Congressional and Intergovernmental Affairs.
- DOE 454 Staff Assistant to the Assistant Secretary for Fossil Energy.
- DOE 455 Staff Assistant to the Deputy Under Secretary for Policy, Planning and Analysis.
- DOE 456 Intergovernmental Affairs Specialist to the Deputy Assistant Secretary for Intergovernmental and Public Liaison.
- DOE 457 Staff Assistant to the Deputy Under Secretary for Policy, Planning and Analysis.
- DOE 458 Legislative Affairs Specialist to the Deputy Assistant Secretary for Senate Liaison.
- DOE 459 Legislative Affairs Specialist to the Deputy Assistant Secretary for Senate Liaison.
- DOE 460 Staff Assistant to the General Counsel.
- DOE 461 Confidential Assistant (Secretary) to the Principal Deputy Assistant Secretary for Congressional and Intergovernmental Affairs.
- DOE 462 Public Affairs Specialist to the Press Secretary.
- DOE 463 Principal Deputy to the Press Secretary.
- DOE 464 Deputy Press Secretary for Issues Management to the Press Secretary.
- DOE 465 Staff Assistant to the Press Secretary.
- DOE 466 Staff Assistant to the Deputy Assistant Secretary for International Affairs.
- DOE 467 Staff Assistant to the Assistant Secretary for Fossil Energy.
- DOE 468 Deputy Press Secretary for Field Operations to the Press Secretary.
- DOE 469 Staff Assistant to the Assistant Secretary for Nuclear

Energy.
DOE 470 Staff Assistant to the Principal Deputy Assistant Secretary for Congressional and Intergovernmental Affairs.
DOE 471 Staff Assistant to the Assistant Secretary for Fossil Energy.
DOE 473 Special Assistant to the Deputy Secretary.
DOE 474 Director of the Executive Secretariat to the Director of Administration and Human Resource Management.

Section 213.3332 Small Business Administration

SBA 19 Executive Assistant to the Deputy Administrator.
SBA 39 Assistant Administrator for Public Communications.
SBA 45 Special Assistant to the Associate Administrator for Procurement Affairs.
SBA 51 Special Assistant to the Chief of Staff.
SBA 54 Special Assistant to the Assistant Administrator for Public Communications.
SBA 59 Deputy Assistant Administrator for Public Communications.
SBA 65 Special Assistant to the Regional Administrator.
SBA 66 Special Assistant to the Regional Administrator.
SBA 68 Special Assistant to the Regional Administrator.
SBA 69 Special Assistant to the Regional Administrator.
SBA 71 Special Assistant to the Regional Administrator.
SBA 73 Special Assistant to the Regional Administrator.
SBA 96 Special Assistant to the Associate Administrator for Business Development.
SBA 97 Confidential Assistant to the General Counsel.
SBA 100 Special Assistant to the Regional Administrator.
SBA 101 Special Assistant to the Associate Deputy Administrator for Management and Administration.
SBA 103 Confidential Assistant to the Administrator.
SBA 106 Director, Office of Private Sector Initiatives, to the Associate Deputy Administrator for Special Programs.
SBA 120 Special Assistant to the Assistant Administrator for Public Communications.
SBA 122 Special Assistant to the Regional Administrator.
SBA 124 Special Assistant to the Assistant Administrator for Congressional and Legislative Affairs.

SBA 141 Special Assistant to the Associate Deputy Administrator for Special Programs.
SBA 142 Special Assistant to the Administrator.
SBA 143 Special Assistant to the Administrator.
SBA 144 Special Assistant to the Associate Deputy Administrator for Finance, Investment, and Procurement.
SBA 145 Director, Office of International Trade, to the Associate Deputy Administrator for Special Programs.
SBA 147 Deputy Associate Administrator for Business Development.
SBA 148 Deputy Director of Women's Business Ownership.
SBA 149 Special Assistant to the Administrator.
SBA 150 Special Assistant to the Administrator.
SBA 151 Director of External Affairs to the Chief of Staff.
SBA 152 Director of Intergovernmental Affairs to the Chief of Staff.

Section 213.3333 Federal Deposit Insurance Corporation

FDIC 2 Secretary to a Member.
FDIC 7 Special Assistant to the Director, Congressional Liaison Staff.
FDIC 10 Legislative Advisor to the Director, Office of Legislative Affairs.

Section 213.3334 Federal Trade Commission

FTC 6 Director, Office of Congressional Relations to the Chairman.
FTC 9 Staff Assistant to the Chairman.

Section 213.3337 General Services Administration

GSA 11 Executive Assistant to the Administrator.
GSA 16 Confidential Assistant to the General Counsel.
GSA 24 Special Assistant to the Commissioner, Public Building Service.
GSA 26 Confidential Assistant to the Commissioner, Public Building Service.
GSA 51 Confidential Assistant to the Deputy Administrator.
GSA 65 Confidential Assistant to the Commissioner, Information Resources Management Service.
GSA 70 Special Assistant to the Associate Administrator for Public Affairs.
GSA 73 Confidential Assistant to the

Deputy Administrator.
GSA 74 Confidential Assistant to the Associate Administrator for Congressional Affairs.
GSA 75 Director of Legislation to the Associate Administrator for Congressional Affairs.
GSA 78 Confidential Assistant to the Regional Administrator.
GSA 79 Confidential Assistant to the Regional Administrator.
GSA 81 Staff Assistant to the Associate Administrator for Operations and Industry Relations.
GSA 85 Confidential Assistant to the Regional Administrator.
GSA 86 Confidential Assistant to the Regional Administrator.
GSA 89 Congressional Relations Officer to the Associate Administrator for Congressional Affairs.
GSA 90 Congressional Relations Officer to the Associate Administrator for Congressional Affairs.
GSA 93 Executive Assistant to the Associate Administrator for Operations.
GSA 94 Legislative Assistant to the Associate Administrator for Congressional Affairs.
GSA 98 Special Assistant to the Assistant to the Administrator for Child Care and Development Programs.
GSA 100 Director, Office of the Executive Secretariat, to the Administrator.
GSA 101 Staff Assistant for Special Projects to the Administrator.
GSA 102 Confidential Assistant to the Regional Administrator.
GSA 103 Confidential Assistant to the Director, Office of the Executive Secretariat.
GSA 106 Special Assistant to the Associate Administrator for Public Affairs.
GSA 109 Confidential Assistant to the Regional Administrator.
GSA 114 Confidential Assistant to the Regional Administrator.
GSA 116 Assistant General Counsel for Policy to the General Counsel.
GSA 117 Director of Regional Operations to the Associate Administrator for Operations and Industry Relations.
GSA 120 Legislative Assistant to the Associate Administrator for Congressional Affairs.
GSA 121 Intergovernmental Relations Officer to the Associate Administrator for Congressional Affairs.
GSA 122 Director of Client Relations to the Associate Administrator for

Operations and Industry Relations.

Section 213.3338 Federal Communications Commission

- FCC 11 Special Assistant to the Chief, Office of Public Affairs.
- FCC 13 Congressional Liaison Specialist to the Director, Office of Legislative Affairs.
- FCC 19 Confidential Staff Assistant to the General Counsel.
- FCC 20 Special Assistant to the Chief, Office of Public Affairs.

Section 213.3339 U.S. International Trade Commission

- ITC 1 Confidential Assistant to a Commissioner.
- ITC 3 Staff Assistant (Economics) to a Commissioner.
- ITC 5 Confidential Assistant to a Commissioner.
- ITC 7 Staff Assistant (Economics) to a Commissioner.
- ITC 9 Confidential Assistant to a Commissioner.
- ITC 12 Staff Assistant (Economics) to a Commissioner.
- ITC 13 Staff Assistant (Legal) to a Commissioner.
- ITC 15 Confidential Assistant to a Commissioner.
- ITC 17 Staff Assistant (Legal) to a Commissioner.
- ITC 19 Staff Assistant (Economics) to a Commissioner.
- ITC 20 Staff Assistant (Economics) to a Commissioner.
- ITC 22 Staff Assistant (Legal) to a Commissioner.
- ITC 24 Staff Assistant (Legal) to a Commissioner.
- ITC 26 Staff Assistant (Legal) to a Commissioner.
- ITC 27 Congressional Liaison to the Chairman.
- ITC 29 Staff Assistant (Legal) to a Commissioner.
- ITC 30 Confidential Assistant to a Commissioner.
- ITC 31 Staff Assistant (Legal) to a Commissioner.
- ITC 33 Staff Assistant to a Commissioner.
- ITC 34 Staff Assistant (Legal) to a Commissioner.

Section 213.3340 National Archives and Records Administration

- NARA 3 Presidential Diarist to the Archivist of the United States.
- NARA 4 Assistant to the Presidential Diarist.

Section 213.3341 National Labor Relations Board

- NLRB 3 Confidential Assistant to a Board Member.
- NLRB 6 Confidential Assistant to a

Board Member.

Section 213.3342 Export-Import Bank of the United States

- EXIM 1 Executive Assistant to the President and Chairman.
- EXIM 2 Personal and Confidential Assistant to the First Vice President and Vice Chairman.
- EXIM 4 Administrative Assistant to a Director.
- EXIM 5 Administrative Assistant to a Director.
- EXIM 15 Secretary (Typing) to the President and Chairman.
- EXIM 16 Administrative Assistant to the General Counsel.
- EXIM 24 Secretary (Steno) to the Executive Vice President.
- EXIM 30 Administrative Assistant to a Director.
- EXIM 32 Special Assistant to the First Vice President and Vice Chairman.
- EXIM 33 Secretary (Typing) to the Vice President for Congressional and External Affairs.
- EXIM 34 Vice President for Congressional and External Affairs to the First Vice President and Vice Chairman.

Section 213.3343 Farm Credit Administration

- FCA 1 Special Assistant to the Chairman.
- FCA 3 Executive Assistant to the Chairman.
- FCA 6 Executive Assistant to a Board Member.
- FCA 8 Secretary to the Board.

Section 213.3346 Selective Service System

- SSS 9 Assistant Director of Congressional and Intergovernmental Affairs.

Section 213.3348 National Aeronautics and Space Administration

- NASA 1 Secretary (Steno) to the Administrator.
- NASA 2 Secretary (Steno) to the Deputy Administrator.
- NASA 13 Special Assistant to the Associate Administrator for External Relations.
- NASA 14 Public Affairs Specialist to the Deputy Associate Administrator for Communications.

Section 213.3351 Federal Mine Safety and Health Review Commission

- FM 1 Secretary (Steno) to a Commissioner.
- FM 4 Confidential Secretary to a Commissioner.
- FM 7 Attorney-Advisor (General) to a Commissioner.

FM 8 Attorney-Advisor (General) to a Commissioner.

Section 213.3356 Commission on Civil Rights

- CCR 12 Special Assistant to a Commissioner.
- CCR 13 Special Assistant to a Commissioner.
- CCR 14 Deputy General Counsel to the General Counsel.
- CCR 15 Special Assistant to a Commissioner.
- CCR 23 Special Assistant to a Commissioner.
- CCR 28 Special Assistant to a Commissioner.
- CCR 30 Special Assistant to a Commissioner.

Section 213.3357 National Credit Union Administration

- NCUA 9 Staff Assistant to the Chairman.
- NCUA 12 Executive Assistant to the Vice Chairman.
- NCUA 15 Secretary (Typing) to the President, Central Liquidity Facility.
- NCUA 18 Special Assistant to the Chairman.
- NCUA 20 Executive Assistant to a Board Member.

Section 213.3359 ACTION

- ACT 29 Special Assistant to the Director.
- ACT 44 Special Assistant to the Associate Director for Domestic and Anti-Poverty Operations.
- ACT 45 Director of Public Affairs to the Director.
- ACT 72 Assistant Director for Older Americans Volunteer Programs to the Associate Director for Domestic and Anti-Poverty Operations.
- ACT 79 Assistant Director for VISTA/Student Community Service Programs to the Associate Director for Domestic and Anti-Poverty Operations.

Section 213.3360 Consumer Product Safety Commission

- CPSC 7 Special Assistant (Legal) to a Commissioner.
- CPSC 12 Special Assistant (Legal) to the Chairman.
- CPSC 16 Director, Office of Congressional Relations, to the Chairman.
- CPSC 20 Special Assistant (Legal) to a Commissioner.
- CPSC 23 Special Assistant to a Commissioner.
- CPSC 25 Staff Assistant to a Commissioner.
- CPSC 48 Secretary (Typing) to the Chairman.

Section 213.3364 U. S. Arms Control and Disarmament Agency

- ACDA 2 Secretary (Steno) to the Deputy Director.
- ACDA 4 Secretary (Steno) to the Assistant Director for Verification and Intelligence.
- ACDA 5 Secretary (Steno) to the Assistant Director for Nuclear and Weapons Control.
- ACDA 11 Congressional Affairs Specialist to the Director, Office of Congressional Affairs.
- ACDA 17 Secretary (Steno) to the Director.
- ACDA 23 Staff Assistant to the Assistant Director for Multilateral Affairs.
- ACDA 27 Special Assistant to the Director.
- ACDA 29 Congressional Affairs Specialist to the Director of Congressional Affairs.
- ACDA 30 Secretary (Steno) to the Special Advisor to the President and Secretary of State on Arms Control Matters.

Section 213.3367 Federal Maritime Commission

- FMC 2 Confidential Assistant to a Commissioner.
- FMC 5 Confidential Assistant to a Commissioner.
- FMC 7 Secretary (Steno) to a Commissioner.
- FMC 22 Special Assistant to the Chairman.

Section 213.3368 Agency for International Development

- AID 48 Special Assistant to the Director, Office of Policy Development and Program Review.
- AID 65 Supervisory Public Affairs Specialist to the Deputy Assistant Administrator for Public Affairs.
- AID 68 Special Assistant to the Assistant Administrator for Private Enterprise.
- AID 76 Public Affairs Specialist to the Director, Office of Public Liaison.
- AID 81 Public Affairs Specialist to the Director, Office of Public Liaison, Bureau for External Affairs.
- AID 82 Chief, Congressional Liaison Division, to the Deputy Assistant Administrator, Bureau of Legislative Affairs.
- AID 84 Director, White House Liaison, to the Administrator.
- AID 85 Director, Office of Private Sector Development, to the Assistant Administrator, Bureau for

- Asia and the Near East.
- AID 86 Special Assistant to the Assistant Administrator, Bureau for Asia and the Near East.
- AID 87 Special Assistant to the Deputy Administrator.
- AID 88 Special Assistant to the Director, Office of Foreign Disaster Assistance.
- AID 91 Special Assistant to the Assistant Administrator, Bureau for Food for Peace and Voluntary Assistance.
- AID 92 Deputy Director (Program Manager), Office of Private and Voluntary Cooperation, to the Deputy Assistant Administrator, Bureau for Food for Peace and Voluntary Assistance.

Section 213.3372 Administrative Office of the United States Courts

- AOUSC 5 Secretary (Steno) to the Deputy Legislative and Public Affairs Officer.
- AOUSC 7 Attorney Advisor (Legislative) to the Legislative and Public Affairs Officer.
- AOUSC 8 Attorney-Advisor (Legislative) to the Legislative and Public Affairs Officer.
- AOUSC 9 Public Information Officer to the Legislative and Public Affairs Officer.
- AOUSC 10 Secretary (Typing) to the Legislative and Public Affairs Officer.
- AOUSC 11 Writer-Editor to the Legislative and Public Affairs Officer.
- AOUSC 12 Legislative Staff Assistant to the Legislative and Public Affairs Officer.

Section 213.3376 Appalachian Regional Commission

- ARC 8 Legislative and Policy Advisor to the Federal Co-Chairman.

Section 213.3377 Equal Employment Opportunity Commission

- EEOC 2 Special Assistant to the Chairman.
- EEOC 5 Confidential Assistant to a Member.
- EEOC 12 Media Contact Specialist to the Director, Office of Communications and Legislative Affairs.
- EEOC 17 Special Assistant to a Member.
- EEOC 22 Director, Legislative Affairs, to the Director, Office of Communications and Legislative Affairs.
- EEOC 23 Special Assistant to a Member.
- EEOC-25 Media Contact Specialist

(Bilingual) to the Director, Communications Staff, Office of Communications and Legislative Affairs.

- EEOC 38 Legislative Affairs Specialist to the Director, Legislative Affairs Staff.
- EEOC 40 Legislative Affairs Specialist to the Director, Office of Communications and Legislative Affairs.

Section 213.3379 Commodity Futures Trading Commission

- CFTC 1 Administrative Assistant to the Chairman.
- CFTC 3 Administrative Assistant to a Commissioner.
- CFTC 6 Administrative Assistant to a Commissioner.
- CFTC 12 Special Assistant to a Commissioner.
- CFTC 21 Government Affairs Officer to the Chairman.
- CFTC 23 Economist to the Chairman.

Section 213.3382 National Foundation on the Arts and the Humanities

- National Endowment for the Arts
- NEA 9 Congressional Liaison Officer to the Chairman.
- NEA 23 Director, Office of Policy, Planning and Research, to the Chairman.
- NEA 49 Associate Deputy Chairman for Programs.
- NEA 50 Special Projects Coordinator (Development) to the Chairman.
- National Endowment for the Humanities
- NEH 56 Special Assistant to the Deputy Chairman.

Section 213.3384 Department of Housing and Urban Development

- HUD 33 Legislative Officer to the Deputy Assistant Secretary for Legislation.
- HUD 35 Legislative Officer to the Deputy Assistant Secretary for Legislation.
- HUD 37 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 39 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 41 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 42 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 45 Assistant for Congressional Relations to the Deputy Assistant

- Secretary for Congressional Relations.
- HUD 60 Supervisory Public Affairs Specialist to the Assistant Secretary for Public Affairs.
- HUD 64 Staff Assistant to the Deputy Assistant Secretary for Policy Development and Evaluation.
- HUD 78 Special Assistant to the Assistant Secretary for Fair Housing and Equal Opportunity.
- HUD 120 Special Assistant to the Deputy Assistant Secretary for Public Affairs.
- HUD 137 Special Assistant to the Assistant Secretary for Fair Housing and Equal Opportunity.
- HUD 170 Special Assistant to the Assistant Secretary for Policy Development and Research.
- HUD 172 Special Assistant to the Assistant Secretary for Public and Indian Housing.
- HUD 174 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 175 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 177 Special Assistant to the Secretary.
- HUD 182 Special Assistant to the Deputy Assistant Secretary for Multi-Family Housing Programs.
- HUD 187 Special Assistant to the Deputy Assistant Secretary for Single Family Housing Programs.
- HUD 188 Special Assistant to the Assistant Secretary for Administration.
- HUD 190 Executive Assistant to the Assistant Secretary for Housing.
- HUD 191 Special Assistant to the Assistant Secretary for Policy Development and Research.
- HUD 193 Deputy General Counsel.
- HUD 195 Special Assistant to the Deputy Assistant Secretary for Program Development.
- HUD 200 Staff Assistant to the Assistant Secretary for Administration.
- HUD 202 Executive Assistant to the Assistant Secretary for Legislation and Congressional Relations.
- HUD 203 Legislative Officer to the Deputy Assistant Secretary for Legislation.
- HUD 205 Senior Intergovernmental Relations Officer to the Deputy Under Secretary for Intergovernmental Relations.
- HUD 208 Intergovernmental Relations Officer to the Deputy Under Secretary for Intergovernmental Relations.
- HUD 209 Intergovernmental Relations Officer to the Deputy Under Secretary for Intergovernmental Relations.
- HUD 211 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 213 Staff Assistant to the Assistant Secretary for Program Development and Research.
- HUD 215 Special Assistant to the Deputy Assistant Secretary for Multi-Family Housing Programs.
- HUD 216 Special Assistant to the Assistant Secretary for Administration.
- HUD 218 Executive Assistant to the Regional Administrator.
- HUD 222 Staff Assistant to the Regional Administrator.
- HUD 224 Special Assistant to the Regional Administrator.
- HUD 228 Executive Assistant to the Regional Administrator.
- HUD 238 Special Assistant to the Secretary.
- HUD 247 Executive Assistant to the Assistant Secretary for Housing.
- HUD 249 Intergovernmental Relations Specialist to the Deputy Under Secretary for Intergovernmental Relations.
- HUD 255 Executive Assistant to the Assistant Secretary for Policy Development and Research.
- HUD 258 Special Assistant to the Under Secretary.
- HUD 260 Executive Assistant to the Assistant Secretary for Public and Indian Housing.
- HUD 261 Special Assistant to the Secretary for Indian and Alaska Native Programs.
- HUD 266 Special Assistant to the General Deputy Assistant Secretary for Housing.
- HUD 274 Special Assistant to the Secretary.
- HUD 281 Special Assistant to the Regional Administrator.
- HUD 285 Legislative Officer to the Deputy Assistant Secretary for Legislation.
- HUD 286 Staff Assistant to the Special Assistant to the Secretary/Director, Executive Secretariat.
- HUD 288 Assistant for Congressional Relations to the Deputy Assistant Secretary for Congressional Relations.
- HUD 292 Special Assistant to the Deputy Assistant Secretary for Policy Development and Evaluation.
- HUD 293 Special Assistant to the President, Government National Mortgage Association.
- HUD 320 Special Assistant to the Assistant Secretary for Administration.
- HUD 324 Special Assistant to the Regional Administrator.
- HUD 336 Special Assistant (Scheduling) to the Assistant Secretary for Public Affairs.
- HUD 337 Special Assistant (Speech Writer) to the Assistant Secretary for Public Affairs.
- HUD 338 Special Assistant to the Deputy Assistant Secretary for Single Family Housing Programs.
- HUD 339 Special Assistant to the Regional Administrator.
- HUD 345 Special Assistant to the Deputy Assistant Secretary for Single Family Housing Programs.
- HUD 350 Special Assistant to the Regional Administrator.
- HUD 351 Special Assistant to the Regional Administrator.
- HUD 354 Special Assistant to the Assistant Secretary for Public and Indian Housing.
- HUD 359 Special Assistant to the Regional Administrator.
- HUD 362 Staff Assistant to the Assistant Secretary for Policy Development and Research.
- HUD 363 Special Assistant to the Assistant Secretary for Policy Development and Research.
- HUD 368 Special Assistant to the Regional Administrator.
- HUD 369 Special Assistant to the Assistant Secretary for Housing.
- HUD 373 Special Assistant (Speech Issues) to the Assistant Secretary for Public Affairs.
- HUD 374 Executive Assistant to the Deputy Under Secretary for Field Coordination.
- HUD 376 Special Assistant to the Regional Administrator.
- HUD 377 Special Assistant to the Regional Administrator.
- HUD 379 Assistant Director, Office of Executive Secretariat, to the Special Assistant to the Secretary/Director, Executive Secretariat.
- HUD 384 Special Assistant to the Assistant Secretary for Public and Indian Housing.
- HUD 385 Special Assistant to the Assistant Secretary for Public Affairs.
- HUD 386 Executive Assistant to the Under Secretary.
- HUD 388 Supervisory Public Affairs Specialist to the Assistant Secretary for Public Affairs.
- HUD 390 Legislative Officer to the Deputy Assistant Secretary for Legislation.
- HUD 392 Special Assistant to the Regional Administrator.
- HUD 394 Staff Assistant to the Assistant Secretary for Community Planning and Development.

HUD 401 Special Assistant to the Assistant Secretary for Housing.
 HUD 402 Special Assistant to the Assistant Secretary for Housing.
 HUD 404 Special Assistant to the Regional Administrator.
 HUD 407 Executive Assistant to the Regional Administrator.
 HUD 408 Special Projects Coordinator to the Deputy Assistant Secretary for Policy, Financial Management and Administration.
 HUD 409 Special Assistant to the Deputy Assistant Secretary for Policy, Financial Management and Administration.
 HUD 414 Associate Deputy General Counsel.
 HUD 415 Special Assistant for Resident Management and Urban Homesteading to the Assistant Secretary for Public and Indian Housing.
 HUD 416 Staff Assistant to the Assistant Secretary for Public and Indian Housing.
 HUD 417 Special Assistant to the Assistant Secretary for Administration.
 HUD 418 Special Assistant to the Deputy Assistant Secretary for Public and Indian Housing.
 HUD 419 Special Assistant to the Assistant Secretary for Public Affairs.
 HUD 420 Regional Administrator—Regional Housing Commissioner.

Section 213.3388 President's Commission on White House Fellows

PCWHF 2 Associate Director.
 PCWHF 3 Assistant Director for Educational Programs.
 PCWHF 4 Confidential Assistant to the Director.

Section 213.3389 National Mediation Board

NMB 54 Confidential Assistant to the Chairman.

Section 213.3391 Office of Personnel Management

OPM 6 Executive Liaison to the Director for Administration and Special Projects.
 OPM 7 Deputy Director for Congressional Relations to the Director, Office of Congressional Relations.
 OPM 8 Confidential Assistant to the Director.
 OPM 9 Confidential Assistant to the Director, Office of Executive Administration.
 OPM 11 Confidential Assistant to the Director, Office of Executive Administration.
 OPM 18 Staff Assistant to the

Director, Office of Executive Administration.
 OPM 19 Special Assistant to the Associate Director for Administration.
 OPM 21 Special Assistant to the Director for Communications.
 OPM 25 Special Assistant to the Director, Office of Congressional Relations.
 OPM 29 Counselor to the Director.
 OPM 33 Confidential Assistant to the Assistant Director for Congressional Relations.
 OPM 36 Staff Assistant to the Director, Office of Executive Administration.
 OPM 38 Confidential Assistant to the General Counsel.
 OPM 41 Special Assistant to the Director, Office of Public Affairs.
 OPM 43 Executive Assistant to the Director.
 OPM 44 Director of Intergovernmental Affairs to the Director.
 OPM 45 Deputy Director of Policy to the Director.
 OPM 46 Special Assistant to the Director.
 OPM 47 Special Assistant to the Deputy Director.
 OPM 48 Staff Assistant to the Director, Office of Executive Administration.

Section 213.3393 Pension Benefit Guaranty Corporation

PBGC 6 Confidential Assistant to the Executive Director.
 PBGC 7 Special Assistant to the Executive Director.

Section 213.3394 Department of Transportation

DOT 1 Staff Assistant to the Secretary.
 DOT 14 Chauffeur to the Secretary.
 DOT 20 Congressional Liaison Officer to the Director, Office of Congressional Affairs.
 DOT 38 Special Assistant to the Administrator, National Highway Traffic Safety Administration.
 DOT 54 Congressional Liaison Officer to the Director, Office of Congressional Affairs.
 DOT 56 Special Assistant to the Administrator, Saint Lawrence Seaway Development Corporation.
 DOT 60 Congressional Liaison Officer to the Director, Office of Congressional Affairs.
 DOT 69 Public Affairs Officer to the Administrator, Federal Railroad Administration.
 DOT 70 Staff Assistant to the Assistant Secretary for Governmental Affairs.

DOT 78 Staff Assistant to the Assistant Secretary for Governmental Affairs.
 DOT 94 Staff Assistant to the Administrator, Federal Aviation Administration.
 DOT 100 Chief, Consumer Affairs Division, to the Director, Office of Public and Consumer Affairs, National Highway Traffic Safety Administration.
 DOT 127 Special Assistant to the Assistant Secretary for Budget and Programs.
 DOT 128 Special Assistant to the Administrator, Federal Highway Administration.
 DOT 147 Special Assistant to the Assistant Secretary for Public Affairs.
 DOT 148 Director, Office of Media Relations and Special Projects, to the Assistant Secretary for Public Affairs.
 DOT 153 Congressional Liaison Officer to the Director, Office of Congressional Affairs.
 DOT 185 Special Assistant to the Deputy Assistant Secretary for Policy and International Affairs.
 DOT 192 Staff Assistant to the Director, Office of Small and Disadvantaged Business Utilization.
 DOT 197 Staff Assistant to the Secretary.
 DOT 198 Special Assistant to the Administrator, Federal Highway Administration.
 DOT 203 Staff Assistant to the Assistant Secretary for Governmental Affairs.
 DOT 204 Chief of Staff to the Administrator, Federal Railroad Administration.
 DOT 209 Special Assistant to the Administrator, Urban Mass Transportation Administration.
 DOT 217 Special Assistant to the Administrator, Research and Special Programs Administration.
 DOT 233 Staff Assistant to the General Counsel.
 DOT 235 Special Assistant for Scheduling to the Secretary.
 DOT 236 Special Assistant to the Director, Office of Public and Consumer Affairs, National Highway Traffic Safety Administration.
 DOT 240 Special Assistant to the Assistant Administrator for Public Affairs, Federal Aviation Administration.
 DOT 243 Special Assistant to the Assistant Secretary for Public Affairs.
 DOT 249 Deputy Executive Secretary for Policy to the Director.

- Executive Secretariat.
DOT 265 Special Assistant to the Director, Office of Public Affairs, Federal Highway Administration.
DOT 272 Special Assistant for Minority Affairs to the Director, Office of Small and Disadvantaged Business Utilization.
DOT 274 Special Assistant to the Assistant Secretary for Public Affairs.
DOT 277 Special Assistant to the Deputy Administrator, Urban Mass Transportation Administration.
DOT 278 Staff Assistant to the Deputy Secretary.
DOT 285 Special Assistant to the Administrator, National Highway Traffic Safety Administration.
DOT 287 Staff Assistant to the Deputy Secretary.
DOT 288 Deputy Director of Industry Affairs to the Director, Office of Intergovernmental and Industry Affairs.
DOT 302 Staff Assistant to the Secretary.
DOT 307 Director, Office of Intergovernmental and Industry Affairs, to the Assistant Secretary for Governmental Affairs.
DOT 308 Deputy Director (Intergovernmental) to the Director, Office of Intergovernmental and Consumer Affairs.
DOT 309 Special Assistant to the Administrator, Federal Aviation Administration.
DOT 311 Staff Assistant to the Chief of Staff.
DOT 312 Special Assistant to the Administrator, Saint Lawrence Seaway Development Corporation.
DOT 313 Director, Office of Public and Consumer Affairs, to the Administrator, National Highway Traffic Safety Administration.
DOT 314 Staff Assistant to the Associate Administrator for Policy, Planning and International Aviation, Federal Aviation Administration.
DOT 315 Director of Intergovernmental Affairs to the Administrator, National Highway Traffic Safety Administration.
DOT 316 Special Assistant to the Deputy Assistant Secretary for Policy and International Affairs.
DOT 317 Special Assistant to the Assistant Administrator for Government and Industry Affairs, Federal Aviation Administration.
DOT 318 Staff Assistant to the Secretary.
DOT 319 Congressional Liaison Officer to the Assistant Administrator for Government and Industry Affairs, Federal Aviation Administration.
DOT 320 Special Assistant to the Secretary for Special Projects.
DOT 321 Staff Assistant to the Administrator, Federal Highway Administration.
DOT 322 Special Assistant to the Special Assistant and Director for Drug Enforcement and Program Compliance.
DOT 323 Special Assistant to the Director, Office of Small and Disadvantaged Business Utilization.
DOT 324 Staff Assistant to the Special Assistant for Personnel and Organization Management.
- Section 213.3395 Federal Emergency Management Agency*
- FEMA 3 Director of Congressional Affairs to the Director of External Affairs.
FEMA 33 Director, Office of Regional Operations, to the Director.
FEMA 34 Executive Assistant to the Deputy Director.
FEMA 38 Confidential Assistant to the Associate Director, External Affairs Directorate.
- Section 213.3396 National Transportation Safety Board*
- NTSB 1 Special Assistant to a Board Member.
NTSB 31 Confidential Assistant to a Board Member.
NTSB 32 Confidential Assistant to a Board Member.
NTSB 33 Confidential Assistant to a Board Member.
NTSB 98 Special Assistant to a Board Member.
NTSB 104 Special Assistant to a Board Member.
- Authority: 5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954-1958 Comp., p. 218.
Office of Personnel Management.
Constance Berry Newman,
Director.
[FR Doc. 90-22316 Filed 09-21-90; 8:45 am]
BILLING CODE 6325-01-M

Registered Federal

**Monday
September 24, 1990**

Part III

The President

**Proclamation 6184—Emergency Medical
Services Week, 1990**

Monday
September 24, 1900

Part III

The President

Presidential Address—Emergency Session
September 24, 1900

Presidential Documents

Title 3—

Proclamation 6184 of September 20, 1990

The President

Emergency Medical Services Week, 1990

By the President of the United States of America

A Proclamation

Each day, members of our Nation's emergency medical services (EMS) teams help to save lives. Providing swift, specialized care for seriously ill or injured persons—at all hours of the day or night and often while enduring difficult and even hazardous conditions—emergency medical personnel demonstrate daily the depth of their bravery, dedication, and compassion.

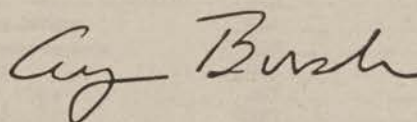
At some time in our lives, most of us will witness or even benefit from the extraordinary efforts of EMS personnel in the wake of a motor vehicle collision, an industrial or household accident, sudden illness, or natural disaster. Medical emergencies arise from many such sources, but emergency medical care is always a team effort. From the paramedics and emergency medical technicians who provide immediate care at the scene of a crisis to the physicians, nurses, and technical specialists who offer emergency care in the hospital setting, thousands of hardworking, highly skilled men and women labor together to ensure the success of our Nation's emergency medical services systems. The unsung heroes of our Nation's EMS teams include dispatchers and other communications specialists, transport personnel who move patients quickly to medical centers for treatment, administrators, and educators who provide training in emergency skills and accident prevention.

Whether full-time workers or volunteers, the dedicated men and women who serve their communities as members of EMS teams deserve the highest recognition and praise. This week, we applaud their lifesaving efforts in emergency care and accident prevention and express our determination to cooperate with them in building a safer, healthier America.

The Congress, by House Joint Resolution 568, has designated the week beginning September 16, 1990, as "Emergency Medical Services Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week beginning September 16, 1990, as Emergency Medical Services Week. I call upon all Americans to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of September, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fifteenth.



Presidential Documents

Executive Order 11659

By the President of the United States of America

A Proclamation

That, inasmuch as the Nation's emergency medical services (EMS) have been established, it is the policy of the United States to support the efforts of the Nation's medical community to provide the highest quality of medical care to all citizens.

It is the policy of the United States to support the efforts of the Nation's medical community to provide the highest quality of medical care to all citizens. This policy is embodied in the National Emergency Medical Services Act, which was enacted on October 1, 1973. The Act provides for the establishment of a National Emergency Medical Services System, which will be responsible for the coordination and delivery of emergency medical services to all citizens.

The Act also provides for the establishment of a National Emergency Medical Services Board, which will be responsible for the oversight and management of the National Emergency Medical Services System. The Board will be composed of representatives from the medical community, the public, and the Federal Government.

The Act further provides for the establishment of a National Emergency Medical Services Training Program, which will be responsible for the training and certification of emergency medical service personnel. The Program will be designed to ensure that all personnel are trained to the highest standards of care.

The Act also provides for the establishment of a National Emergency Medical Services Research Program, which will be responsible for the research and development of new and improved emergency medical services. The Program will be designed to ensure that the Nation's emergency medical services are always at the forefront of medical science.

The Act is a landmark piece of legislation that will ensure that the Nation's emergency medical services are of the highest quality. It is a testament to the Nation's commitment to the health and well-being of all its citizens.

Tip

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Vol. 55, No. 185

Monday, September 24, 1990

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This is a continuing list of public bills from the current session of Congress which have become Federal laws. It

may be used in conjunction with "P.L.U.S." (Public Laws Update Service) on 523-6641. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone 202-275-3030).

S. 3033/Pub. L. 101-384

To amend title 39, United States Code, to allow free mailing privileges to be extended to members of the Armed Forces while engaged in temporary military operations under arduous circumstances. (Sept. 18, 1990; 104 Stat. 737; 1 page)
Price: \$1.00

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

A checklist of current CFR volumes comprising a complete CFR set, also appears in the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

The annual rate for subscription to all revised volumes is \$620.00 domestic, \$155.00 additional for foreign mailing.

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1, 2 (2 Reserved)	\$11.00	Jan. 1, 1990
3 (1989 Compilation and Parts 100 and 101)	11.00	¹ Jan. 1, 1990
4	16.00	Jan. 1, 1990
5 Parts:		
1-699	15.00	Jan. 1, 1990
700-1199	13.00	Jan. 1, 1990
1200-End, 6 (6 Reserved)	17.00	Jan. 1, 1990
7 Parts:		
0-26	15.00	Jan. 1, 1990
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46-51	17.00	Jan. 1, 1990
52	24.00	Jan. 1, 1990
53-209	19.00	Jan. 1, 1990
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60-139	24.00	Jan. 1, 1990
140-199	10.00	Jan. 1, 1990
200-1199	21.00	Jan. 1, 1990

Title	Price	Revision Date
1200-End	13.00	Jan. 1, 1990
15 Parts:		
0-299	11.00	Jan. 1, 1990
300-799	22.00	Jan. 1, 1990
800-End	15.00	Jan. 1, 1990
16 Parts:		
0-149	6.00	Jan. 1, 1990
150-999	14.00	Jan. 1, 1990
1000-End	20.00	Jan. 1, 1990
17 Parts:		
1-199	15.00	Apr. 1, 1990
200-239	16.00	Apr. 1, 1990
240-End	23.00	Apr. 1, 1990
18 Parts:		
1-149	16.00	Apr. 1, 1990
150-279	16.00	Apr. 1, 1990
280-399	14.00	Apr. 1, 1990
400-End	9.50	Apr. 1, 1990
19 Parts:		
1-199	28.00	Apr. 1, 1990
200-End	9.50	Apr. 1, 1990
20 Parts:		
1-399	14.00	Apr. 1, 1990
400-499	25.00	Apr. 1, 1990
500-End	28.00	Apr. 1, 1990
21 Parts:		
1-99	13.00	Apr. 1, 1990
100-169	15.00	Apr. 1, 1990
170-199	17.00	Apr. 1, 1990
200-299	5.50	Apr. 1, 1990
300-499	29.00	Apr. 1, 1990
500-599	21.00	Apr. 1, 1990
600-799	8.00	Apr. 1, 1990
800-1299	18.00	Apr. 1, 1990
1300-End	9.00	Apr. 1, 1990
22 Parts:		
1-299	24.00	Apr. 1, 1990
300-End	18.00	Apr. 1, 1990
23	17.00	Apr. 1, 1990
24 Parts:		
0-199	20.00	Apr. 1, 1990
200-499	30.00	Apr. 1, 1990
500-699	13.00	Apr. 1, 1990
700-1699	24.00	Apr. 1, 1990
1700-End	13.00	Apr. 1, 1990
25	25.00	Apr. 1, 1990
26 Parts:		
§§ 1.0-1.160	15.00	Apr. 1, 1990
§§ 1.61-1.169	28.00	Apr. 1, 1990
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50-299	16.00	³ Apr. 1, 1989
300-499	17.00	Apr. 1, 1990
500-599	6.00	Apr. 1, 1990
600-End	6.50	Apr. 1, 1990
27 Parts:		
1-199	24.00	Apr. 1, 1990
200-End	14.00	Apr. 1, 1990
28	27.00	July 1, 1989

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30 Parts:			1000-3999.....	26.00	Oct. 1, 1989
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700-End.....	20.00	July 1, 1989	45 Parts:		
31 Parts:			1-199.....	16.00	Oct. 1, 1989
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³ No amendments to this volume were promulgated during the period Apr. 1, 1989 to Mar. 30, 1990. The CFR volume issued April 1, 1989, should be retained.

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⁵ The July 1, 1985 edition of 32 CFR Parts 1-189 contains a note only for Parts 1-39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1-39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

⁶ The July 1, 1985 edition of 41 CFR Chapters 1-100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

(Rev. 2/90)

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